

By Mr. LITTLEPAGE: A bill (H. R. 28213) granting an increase of pension to George W. Conley; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 28214) granting a pension to Monroe Flowers; to the Committee on Pensions.

Also, a bill (H. R. 28215) to remove the charge of desertion from the military record of Frederick Frosch; to the Committee on Military Affairs.

By Mr. MARTIN of South Dakota: A bill (H. R. 28216) granting an increase of pension to John Ferguson; to the Committee on Invalid Pensions.

By Mr. MOSS of Indiana: A bill (H. R. 28217) granting an increase of pension to James Chambers; to the Committee on Invalid Pensions.

By Mr. NEEDHAM: A bill (H. R. 28218) granting an increase of pension to Samuel Turpin; to the Committee on Invalid Pensions.

By Mr. NEELEY: A bill (H. R. 28219) granting a pension to Martha L. Manly; to the Committee on Invalid Pensions.

By Mr. POST: A bill (H. R. 28220) granting an increase of pension to James D. Brown; to the Committee on Invalid Pensions.

By Mr. RAUCH: A bill (H. R. 28221) granting an increase of pension to Benjamin Dorwart; to the Committee on Invalid Pensions.

By Mr. RUCKER of Colorado: A bill (H. R. 28222) granting a pension to Sarah P. Brown; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28223) to correct the military record of Eugene J. Rizer; to the Committee on Military Affairs.

By Mr. STANLEY: A bill (H. R. 28224) for the relief of the estate or heirs of Philip P. Phillips, deceased; to the Committee on War Claims.

By Mr. STEPHENS of Nebraska: A bill (H. R. 28225) granting an increase of pension to Orlando Wood; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 28226) granting a pension to Gabriel H. Leighty; to the Committee on Invalid Pensions.

By Mr. TAGGART: A bill (H. R. 28227) granting a pension to William H. Haight; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28228) granting an increase of pension to Alfred H. Guest; to the Committee on Invalid Pensions.

By Mr. WHITACRE: A bill (H. R. 28229) granting an increase of pension to Charles M. Reilly; to the Committee on Invalid Pensions.

By Mr. McKENZIE: A bill (H. R. 28232) granting a pension to Ida Wingart; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. ASHBROOK: Petition of Judson C. Wall, New York, favoring the passage of Senate bill 3, for Federal aid for vocational education; to the Committee on Agriculture.

Also, papers to accompany special bill for the relief of Mary H. Johnston; to the Committee on Invalid Pensions.

By Mr. CALDER: Petition of the Women's League of the Clinton Avenue Congregational Church, Brooklyn, N. Y., favoring action on the part of Congress that the tolls at the Panama Canal be adjusted by diplomacy; if that can not be done, by arbitration; to the Committee on Interstate and Foreign Commerce.

By Mr. DAVIS of West Virginia: Petition of the Randall County Bar Association, favoring the passage of legislation for a term of Federal district court of the United States of America at Elkins, W. Va.; to the Committee on the Judiciary.

By Mr. DIFENDERFER: Petition of Ezra W. Spragell and others, of Buck County, favoring the passage of the Kenyon-Sheppard bill for preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. ESCH: Petition of citizens of Curtis, Wis., protesting against the passage of the Lever agriculture bill; to the Committee on Agriculture.

By Mr. FITZGERALD: Petition of the National Academy of Design, of New York, urging that the proposed Lincoln memorial be erected on the site recommended by the Washington Park Commission; to the Committee on the Library.

Also, petition of the Italian Chamber of Commerce, of New York, protesting against the passage of Senate bill 3175, for restriction of immigration; to the Committee on Immigration and Naturalization.

Also, petition of the Social Science Section of the American Association for the Advancement of Science, favoring the passage of Senate bill 3, for Federal aid to vocational education; to the Committee on Agriculture.

By Mr. LEVY: Petition of Sol Bloom (Inc.), New York, and the Eastern Talking Machine Dealers' Association, New York, protesting against the passage of section 2 of the Oldfield patent bill, prohibiting the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

By Mr. LINDSAY: Petition of Jerome D. Greene, trustee of the Rockefeller Institute for Medical Research, etc., favoring the passage of House bill 21532, to incorporate the Rockefeller Foundation; to the Committee on the Judiciary.

Also, petitions of the American Talking Machine Co., Brooklyn, N. Y.; the Eastern Talking Machine Dealers' Association, New York; and E. S. Cragen, Brooklyn, N. Y., protesting against the passage of section 2 of the Oldfield patent bill prohibiting the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

Also, petition of Hogan & Son and Earl & Wilson, New York, favoring the passage of House bill 27567, for a 1-cent letter rate; to the Committee on the Post Office and Post Roads.

Also, petitions of John Otterbacher, Charlottesville, Va.; Knaggs & Plum, Bay City, Mich.; and Hugh Thompson, Eastport, Me., favoring the passage of House bill 1339, granting an increase of pension to veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

By Mr. MOON of Tennessee: Papers to accompany bill (H. R. 7465) for the relief of Emma A. Ford; to the Committee on Pensions.

By Mr. NEELEY: Petition of citizens of Meade County, Kans., favoring the passage of the Kenyon-Sheppard bill preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. NORRIS: Petition of citizens of Nebraska, protesting against the passage of any legislation reducing the tariff on sugar; to the Committee on Ways and Means.

By Mr. TILSON: Petition of the Manufacturers' Association of Bridgeport, Conn., protesting against the passage of Senate bill 3175, for the restriction of immigration; to the Committee on Immigration and Naturalization.

By Mr. UNDERHILL: Petition of the Eastern Talking Machine Dealers' Association, New York, protesting against passage of section 2 of the Oldfield patent bill prohibiting the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

By Mr. WILLIS: Paper to accompany bill (H. R. 27526) granting a pension to Mary B. Showalter; to the Committee on Invalid Pensions.

SENATE.

SATURDAY, January 18, 1913.

Prayer by the Chaplain, Rev. Ulysses G. B. Pierce, D. D.

NAMING A PRESIDING OFFICER.

Mr. SHIVELY (at the Vice President's desk) handed to the Secretary the following communication, which was read:

UNITED STATES SENATE,
Washington, D. C., January 18, 1913.

TO THE SENATE:

I hereby name Hon. BENJAMIN F. SHIVELY, senior Senator from the State of Indiana, to perform the duties of the Chair during my absence Saturday, the 18th day of January, 1913.

AUGUSTUS O. BACON,
President of the Senate Pro Tempore.

Mr. SHIVELY thereupon took the chair as Presiding Officer for to-day, and directed the Secretary to read the Journal of yesterday's proceedings.

The Secretary proceeded to read the Journal of yesterday's proceedings, when, on request of Mr. LODGE and by unanimous consent, the further reading was dispensed with and the Journal was approved.

ELECTORS FOR PRESIDENT AND VICE PRESIDENT.

The PRESIDING OFFICER laid before the Senate a communication from the Secretary of State, transmitting, pursuant to law, an authentic copy of the certificate of ascertainment of electors for President and Vice President appointed in the State of Florida at the election held in that State December 5, 1912, which was ordered to be filed.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by J. C. South, its Chief Clerk, announced that the House had passed the following bill and joint resolution:

S. 7637. An act to authorize the construction of a railroad bridge across the Illinois River near Havana, Ill.; and

S. J. Res. 150. Joint resolution appropriating \$40,000 for expenses of inquiries and investigations ordered by the Senate.

The message also announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3175) to regulate the immigration of aliens to and the residence of aliens in the United States.

The message further announced that the House insists upon its amendments to the bill (S. 6380) to incorporate the American Hospital of Paris, disagreed to by the Senate; agrees to the conference asked for by the Senate on the disagreeing votes of the two Houses thereon, and had appointed Mr. CLAYTON, Mr. DAVIS of West Virginia, and Mr. STERLING managers at the conference on the part of the House.

PETITIONS AND MEMORIALS.

Mr. CURTIS presented petitions of sundry citizens of Hoisington, Altoona, and Larned, all in the State of Kansas, praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

Mr. MARTINE of New Jersey presented a petition of sundry citizens of Summit, N. J., praying for the enactment of legislation providing for the protection of migratory birds, which was ordered to lie on the table.

Mr. GALLINGER presented resolutions adopted by the Associated Charities of the District of Columbia, favoring an appropriation being made for the erection of a municipal hospital in the District of Columbia, which were referred to the Committee on Appropriations.

He also presented petitions of the congregations of the Belknap Congregational Church and the Free Baptist Church, of Dover, N. H., and of the board of managers of the National Temperance Society and Publication House of New York City, praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which were ordered to lie on the table.

Mr. McCUMBER presented a petition of sundry citizens of Wimbeldon, N. Dak., praying for the enactment of legislation providing for the protection of migratory birds, which was ordered to lie on the table.

Mr. PAGE presented a petition of the congregation of the First Congregational Church of St. Johnsbury, Vt., praying for the passage of the so-called Kenyon-Sheppard interstate liquor bill, which was ordered to lie on the table.

He also presented a petition of the congregation of the First Congregational Church of St. Johnsbury, Vt., praying for the passage of the so-called Kenyon "red-light" injunction bill, which was ordered to lie on the table.

REPORTS OF COMMITTEES.

Mr. McCUMBER, from the Committee on Pensions, submitted a report (No. 1129) accompanied by a bill (S. 8178) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors, the bill being a substitute for the following Senate bills heretofore referred to that committee:

- S. 45. Michael Liebhart.
- S. 503. William M. Copeland.
- S. 531. E. Belle Platt.
- S. 642. Charles Stewart.
- S. 804. Robert R. Whiteman.
- S. 1191. Joseph Lasier, jr.
- S. 1459. Stephen Rice.
- S. 1512. Isaac Henninger.
- S. 1662. Ira Lyle.
- S. 1759. Edgar W. Lauck.
- S. 1824. George Alexander.
- S. 1835. Frank Laflame.
- S. 1909. Carrie Kellogg.
- S. 2630. Jerome McWethy.
- S. 2944. Mary J. Irwin.
- S. 3305. Monroe J. Potts.
- S. 3410. Henry D. Jayne.
- S. 3412. Samuel R. Vose.
- S. 3428. Jacob Lingenfelter.
- S. 3492. Henry B. Spencer.
- S. 3534. Hiram Rhodes.
- S. 3663. Ozro M. Hale.
- S. 3667. Dennis McCarthy 2d.
- S. 3668. Jesse Nott.
- S. 3698. Susan E. Miller.
- S. 3742. Daniel Tracy.
- S. 3906. Joseph A. Funk.
- S. 4193. Andrew W. Stevens.
- S. 4203. John Mallet.
- S. 4304. Francis Kramer.
- S. 4620. Martin Ressler.
- S. 4690. John Scherff.
- S. 4992. John Gordon.

- S. 5012. Jackson Truit.
- S. 5023. Joseph Antram.
- S. 5049. Martha Ann Harvey.
- S. 5209. John Chenoweth.
- S. 5222. Joshua Eckman.
- S. 5234. Charles T. Howard.
- S. 5273. Frederick Buckmaster.
- S. 5563. Emma C. Palmer.
- S. 5584. Henrietta P. Cowgill.
- S. 5969. Ellen S. Kirkham.
- S. 5971. Cornelia M. Hale.
- S. 6072. James J. Hasson.
- S. 6300. Clement F. S. Aimes.
- S. 6416. Franklin W. Chapman.
- S. 6514. Elizabeth A. Fisher.
- S. 6544. James Smith.
- S. 6737. Reuben Cooley.
- S. 6756. John T. Craddock.
- S. 6778. Edward Brown.
- S. 6789. William T. Hutton.
- S. 6828. James Hawkins.
- S. 6999. John S. Edwards.
- S. 7049. Samuel C. Planck.
- S. 7095. David F. Eutsler.
- S. 7151. Jasper Fleener.
- S. 7166. Job S. Sims.
- S. 7178. John J. Jameson.
- S. 7179. Charles T. Knight.
- S. 7207. Cyrus N. Lyons.
- S. 7270. George W. Jones.
- S. 7272. Joseph Troyer.
- S. 7311. Josephine M. Perry.
- S. 7313. Oscar B. Vibert.
- S. 7341. Albert T. Wharton.
- S. 7364. David L. Denee.
- S. 7387. Mary A. Bingaman.
- S. 7478. Nettie W. Sisson.
- S. 7485. Emily J. Chambers.
- S. 7530. Sarah Tout.
- S. 7576. Susan J. Littlefield.
- S. 7580. Clinton E. Olmstead.
- S. 7612. Daniel H. Strout.
- S. 7618. John Miller.
- S. 7643. Julius A. Record.
- S. 7644. William L. Ham.
- S. 7648. Lucretia B. Crockett.
- S. 7676. George W. Barrett.
- S. 7708. Olive Stull.
- S. 7714. John W. Culver.
- S. 7720. Gustaf Swanson.
- S. 7741. Sophronia Dixon.
- S. 7777. Eben S. Welch.
- S. 7779. Thomas C. Aldrich.
- S. 7789. Emily S. Reader.
- S. 7790. Clara A. Long.
- S. 7839. Maria L. Mann.
- S. 7846. Mary J. Hubbard.
- S. 7859. George W. Sumpter.
- S. 7861. Lurinda P. Barnes.
- S. 7864. Electa Marsh.
- S. 7880. Edward A. Mace.
- S. 7881. Mary J. Van Orden.
- S. 7892. Susan M. Wyatt.
- S. 7932. Luke Cassidy.
- S. 7933. Lewis F. Branson.
- S. 7934. Amanda E. Glenn.
- S. 7935. Solomon Kessinger.
- S. 7953. Peter Binkley.
- S. 7962. Edmond Melton.
- S. 7963. Eli W. Pierce.
- S. 7978. Melissa A. McGowan.
- S. 7984. Hannah Peavey.

Mr. SUTHERLAND, from the Committee on Public Buildings and Grounds, to which was referred the bill (S. 184) for the erection of a public building at Lancaster, Ky., reported it with amendments and submitted a report (No. 1123) thereon.

He also, from the same committee, to which were referred the following bills, reported them each with an amendment and submitted reports thereon:

- S. 4524. A bill to increase the appropriation of \$60,000 for the purchase of a site and the erection of a building for the use and accommodation of a post office at Middlesboro, Ky., to \$125,000 (Rept. No. 1124); and
- S. 7502. A bill for the erection of a public building at Ridgeway, Pa. (Rept. No. 1125).

Mr. STEPHENSON, from the Committee on Public Buildings and Grounds, to which were referred the following bills, reported them each with an amendment and submitted a report thereon:

S. 7298. A bill for the purchase of a site and the erection thereon of a public building at Rhinelander, Wis. (Rept. No. 1126); and

S. 7297. A bill for the purchase of a site and the erection thereon of a public building at Mineral Point, Wis. (Rept. No. 1127).

Mr. MARTIN of Virginia, from the Committee on Commerce, to which was referred the bill (S. 7855) to authorize the Northern Pacific Railway Co. to construct a bridge across the Missouri River in section 36, township 134 north, range 79 west, in the State of North Dakota, reported it without amendment and submitted a report (No. 1128) thereon.

Mr. PERKINS, from the Committee on Naval Affairs, to which was referred the bill (H. R. 20193) authorizing the Secretary of the Navy to pay a cash reward for suggestions submitted by civilian employees of the Navy Department for improvement or economy in manufacturing processes or plant, reported it with amendments and submitted a report (No. 1130) thereon.

MEMORIAL SERVICES FOR THE LATE VICE PRESIDENT.

Mr. CUMMINS. From the Committee on Rules, to which was referred Senate resolution 426, directing the Committee on Rules to report an order for ceremonies in honor of the memory of the late Vice President JAMES S. SHERMAN, I report a resolution which I ask to have read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate.

The resolution (S. Res. 435) was read and referred to the Committee to Audit and Control the Contingent Expenses of the Senate, as follows:

Resolved, That Saturday, the 15th day of February, be set apart for appropriate exercises in commemoration of the life, character, and public service of the late JAMES S. SHERMAN, Vice-President of the United States and President of the Senate of the United States.

That a committee of three Senators, composed of ELIHU ROOT, JAMES O'GORMAN, and CHARLES CURTIS, is hereby appointed with full power to make all arrangements and publish a suitable program for the aforesaid meeting of the Senate, and to issue the invitations hereinafter mentioned.

That invitations shall be extended to the President of the United States, the members of the Cabinet, the Chief Justice and Justices of the Supreme Court, the Speaker and Members of the House of Representatives, the judges of the Commerce Court, the judges of the Court of Customs Appeals, the judges of the courts of the District of Columbia, the officers of the Army and Navy stationed in Washington, the members of the Interstate Commerce Commission, the members of the Civil Service Commission. That such other invitations shall be issued as to the said committee shall seem best.

All expenses incurred by the committee in the execution of this order shall be paid from the contingent fund of the Senate.

HARRY S. WADE.

Mr. CRAWFORD. The Committee on Claims reported favorably just before the close of the last session the bill (H. R. 15181) for the relief of Harry S. Wade. It was passed by the Senate, and at the request of the Senator from Oregon [Mr. BOURNE] I entered a motion to reconsider the vote, and the bill was returned from the House. The session ended without its being acted upon, but the papers are here, the bill was passed here, and I should like to have the bill with the report of the Committee on Claims placed on the calendar so that the motion for reconsideration may come up in regular order.

The PRESIDING OFFICER. Is there objection? The Chair hears none, and it is so ordered.

CLAIMS OF AMERICAN CITIZENS.

Mr. DU PONT. On December 14, 1912, the Secretary of War transmitted to the Senate a report of the commission appointed by the War Department to investigate the claims of American citizens for damages suffered within American territory and growing out of the late insurrection in Mexico, which was referred to the Committee on Military Affairs. I ask that that committee be discharged from the further consideration of the report, and that it be referred to the Committee on Foreign Relations.

The PRESIDING OFFICER. Without objection, it is so ordered.

BILLS AND JOINT RESOLUTION INTRODUCED.

Bills and a joint resolution were introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. ASHURST:

A bill (S. 8179) for the relief of Alfred Cluff, Orson Cluff, Henry E. Norton, William B. Ballard, Elijah Hancock, Susan R. Saline, Oscar Mann, Celia Thayne, William Cox, Theodore Farley, Adelaide Laxton, Clara L. Tenney, George M. Adams, Charlotte Jensen, and Sophia Huff (with accompanying papers); to the Committee on Claims.

By Mr. NELSON:

A bill (S. 8180) granting an increase of pension to Mary J. White; to the Committee on Pensions.

By Mr. KENYON:

A bill (S. 8181) granting an increase of pension to Farmer P. Oldfield; to the Committee on Pensions.

By Mr. CULLOM:

A bill (S. 8182) granting to the Inter-City Bridge Co., its successors and assigns, the right to construct, acquire, maintain, and operate a railway bridge across the Mississippi River; to the Committee on Commerce.

By Mr. TILLMAN:

A bill (S. 8183) for the relief of Capt. Frank Parker; to the Committee on Military Affairs.

By Mr. CATRON:

A bill (S. 8184) extending the provisions of an act of Congress approved April 28, 1904 (33 Stat. L., 547), to apply to the State of New Mexico; to the Committee on Public Lands.

A bill (S. 8185) granting an increase of pension to Grace A. Overhuls; to the Committee on Pensions.

By Mr. GORE:

A bill (S. 8186) to prohibit contracts with the members of certain Indian tribes in relation to tribal money, property, etc.; to the Committee on Indian Affairs.

By Mr. BOURNE:

A bill (S. 8187) granting a pension to Josephine E. Miller; to the Committee on Pensions.

By Mr. CHILTON:

A bill (S. 8188) to amend section 113 of the act to codify, revise, and amend the laws relating to the judiciary, approved March 3, 1911; to the Committee on the Judiciary.

By Mr. LODGE:

A joint resolution (S. J. Res. 154) authorizing the Secretary of the Treasury to give certain old Government documents to the Old Newbury Historical Society, of Newburyport, Mass.; to the Committee on Finance.

AMENDMENTS TO APPROPRIATION BILLS.

Mr. McCUMBER submitted an amendment proposing to appropriate \$35,200 for the support and education of 200 Indian pupils at the Indian school, Wahpeton, N. Dak., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$43,200 for the support and education of 100 Indian pupils at the Indian school, Bismarck, N. Dak., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

He also submitted an amendment proposing to appropriate \$100,000 for the purchase of cattle for the Northern Cheyenne Indians, etc., intended to be proposed by him to the Indian appropriation bill, which was referred to the Committee on Indian Affairs and ordered to be printed.

Mr. JONES submitted an amendment proposing to appropriate \$55,000 for the protection of Valdez, Alaska, and adjacent territory from glacial floods, etc., intended to be proposed by him to the river and harbor appropriation bill, which was referred to the Committee on Commerce and ordered to be printed.

AGRICULTURAL EXTENSION DEPARTMENTS.

Mr. GRONNA submitted an amendment intended to be proposed by him to the bill (H. R. 22871) to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and of acts supplementary thereto, which was ordered to lie on the table and be printed.

Mr. McCUMBER submitted an amendment intended to be proposed by him to the bill (H. R. 22871) to establish agricultural extension departments in connection with agricultural colleges in the several States, receiving the benefits of an act of Congress, approved July 2, 1862, and of acts supplementary thereto, which was ordered to lie on the table and be printed.

COMPILATION OF SENATE ELECTION CASES.

Mr. DILLINGHAM submitted the following resolution (S. Res. 436), which was read, considered by unanimous consent, and agreed to:

Resolved, That the Committee on Privileges and Elections be, and is hereby, authorized and directed to have compiled and printed as a document a revised edition of the document entitled "Compilation of Senate Election Cases," bringing the same down to the close of the Sixty-second Congress.

ALICE V. HOUGHTON.

Mr. CRAWFORD. The bill (S. 5137) for the relief of Alice V. Houghton, the young lady who met with a serious accident in the Census Office Building was, at the request of the Senator from New Jersey [Mr. MARTINE] recalled from the House and

nothing has been done about it since. I have had a conversation on the subject with the Senator from New Jersey. It seems to be proper to send the bill back to the Committee on Claims so that the subcommittee may make an investigation of the condition of the case at the present time and report it again to the full committee. I ask that the bill be rereferred to the Committee on Claims.

Mr. MARTINE of New Jersey. Mr. President, I trust the Senator from South Dakota will not press a rereference of the matter. It will only entail a further humiliation upon this poor young woman, who has suffered for nearly two years. I think the 30th of this January it will be two years since this unfortunate woman met with the horrid accident.

Night before last I went to her home in order that I might fortify myself with further facts regarding the case. I say today that she is blind in one eye; the other is in a weeping and weak condition; and she is unable to read and unable to write. Her scalp is still in an unhealed condition. A thin, crackly skin covers a portion of her skull, breaking out at the least provocation. The wounds are dressed each day now by the family. The son of the doctor, Dr. White, stated to me in my own office yesterday that he felt it was making a bill against the family that it would be hardly possible for them to meet, and he said to them, "I will teach you to dress these wounds, though I will come once a week," and he says that studiously and punctiliously he has been there every week for the purpose of dressing the wounds.

The horrid story need not be recited. Two years ago this accident occurred while in performance of her duties as tabulator in the Census Bureau. The girl has suffered the agony and tortures of the damned through being coiled on an unprotected revolving shaft, whereby she was bereft of her splendid shock of hair; a comely woman, 28 years old, has been in suffering and torture.

I have on my desk, and desire to bring it up, if possible, today, a bill proposing that the Senate shall appropriate for her the sum of \$8,000, \$2,000 of which shall be paid upon the passage of the bill and the further sum of \$6,000 paid in installments of \$75 a month until the \$6,000 shall have been used up.

I feel that this is but humanity; and here in Christmas time, while we are talking good will and kind fellowship and love of our fellows, this poor girl is disfigured beyond parallel. The scalp was torn from the back of her head and from the nape of her neck, over to and including the eyebrows, and the skin was torn from the bridge of her nose. I will state that the skin on the bridge of her nose has healed, but the veins and muscles stand out like whipcords on this poor girl's forehead. For all purposes in life, with her comeliness gone, money recompense can not bring back to her her splendid shock of hair, her glorious tresses, the pride of womanhood, and money can not make compensation for it. None of us, for ourselves, our wives, or daughters, would take a sum three times that which I earnestly urge. But this in a way can relieve at least the situation in which this poor girl is placed.

I urge you, my fellow Senators, with big hearts and broad and generous impulses, in God's name do not press this young woman to further humiliation and torture. I have here the affidavit of three or four physicians; I have the statement of Director Durand, of the Census Office—all certifying to this case. We had it thrashed out in our committee, and I urge that this further humiliation be not placed on this poor and unfortunate woman.

Mr. NEWLANDS. Mr. President—

The PRESIDING OFFICER. Does the Senator from New Jersey yield to the Senator from Nevada?

Mr. MARTINE of New Jersey. Certainly.

Mr. NEWLANDS. I should like to ask what is the amount of this claim?

Mr. MARTINE of New Jersey. There is no claim. The Senate passed a bill appropriating, I believe, \$4,200.

Mr. NEWLANDS. How long has the case been pending?

Mr. MARTINE of New Jersey. Nearly two years.

Mr. NEWLANDS. I will ask the Senator if he does not think that any jury in a suit against a private corporation would bring in a verdict of ten or fifteen or twenty thousand dollars for such injuries?

Mr. MARTINE of New Jersey. Surely, against any private corporation in this land, I care not what. No jury in a civilized community would pretend to fix less than \$25,000, and I believe in such a case the party could recover \$50,000. That I do not ask.

Mr. NEWLANDS. I desire to inquire of the Senator from New Jersey the parliamentary attitude of this bill. I wish to say, so far as I am individually concerned, I have read of this

accident in the newspapers and of the suffering of this poor woman from time to time; I have felt from the start that if it had been an ordinary case of employer's liability in a suit against a private corporation a verdict of an enormous amount would have been found. I have witnessed with indignation the delay of Congress in satisfying this claim. So far as I am concerned I want to act speedily and justly and liberally on this subject.

Mr. CULBERSON. I desire to ask what is the parliamentary status of the claim presented by the Senator from New Jersey?

The PRESIDING OFFICER. The Senator from South Dakota [Mr. CRAWFORD] asks unanimous consent for the reference of the bill back to the Committee on Claims.

Mr. CRAWFORD. May I be permitted to say a word?

Mr. CULBERSON. I should like to have the Senator explain the parliamentary status of the matter.

Mr. CRAWFORD. Mr. President, we are all, I think, in sympathy with what the Senator from New Jersey has said. It is an appealing case, and I do not for one moment wish it to be understood that I desire in the slightest degree, directly or indirectly, to retard the case, nor to take any steps that are unnecessary in the matter of having it fairly presented to the Senate.

The Committee on Claims had the bill before it. It gave it consideration and it made a report to the Senate. The report was adopted after some debate and the bill passed. Afterwards, during the last session, the Senator from New Jersey [Mr. MARTINE] made an appeal to the Senate on the ground that in his belief we had not allowed a sufficient amount, and the Senator from Mississippi [Mr. WILLIAMS] joined him in the request, and we brought the bill back from the House.

I do not think that responsibility for inaction since that time is chargeable to the Committee on Claims or to its chairman, because we have had no jurisdiction over it. The Senate recalled the bill from the House; and the Senator from New Jersey, who was active in having it recalled, has never brought the matter up, nor has the Senator from Mississippi. The chairman of the Committee on Claims has been engaged with the omnibus claims bill, and after having a conversation with the Senator from New Jersey, and sympathizing with him in his desire, my only object in bringing up the matter in this way was that we might, in an orderly manner, in the situation as it now exists, have the bill brought before the Senate and that we might take such action in regard to it as the merits of the case require.

If it is better to have it acted upon without going back to the committee, I will not insist upon it at all; but because it has been lying idle and nothing has been done about it since it came back from the other House, I desired to present it to the Senate, and I assure the Senator from New Jersey that he need have no apprehension that the claim upon its merits will not be considered by the Committee on Claims, so far as I am concerned.

Mr. MARTINE of New Jersey. I believe that.

The PRESIDING OFFICER. Does the Senator from New Jersey insist upon his objection?

Mr. MARTINE of New Jersey. I object, sir.

Mr. LODGE. Mr. President—

The PRESIDING OFFICER. Objection is made.

Mr. MARTINE of New Jersey. In deference to the Senator from Massachusetts, I withdraw the objection until he may be heard in regard to the bill.

Mr. LODGE. Mr. President, I merely wanted to say that, as I understand, this bill has been recalled from the other House, and therefore it occupies exactly the same position as it did when it left the Senate. I can see no reason for recommitting the bill. I think we can dispose of it now, and I think we ought to dispose of it now.

Mr. MARTINE of New Jersey. Let me give one reason why the matter has been seemingly delayed. During the last session, in the interest and with the general purpose of facilitating public business, I was urged to hold the bill over from time to time, which I did. At that time I conferred with the Senator from South Dakota [Mr. CRAWFORD] regarding the matter. His suggestion was that the bill be again rereferred, and that prompted me immediately to go to the home of this young woman, and I have come back fortified and reenforced with the facts. I feel that I am justified, with no purpose other than to do justice to this suffering young woman, in asking that the bill be not rereferred to the committee. I should like, as the Senator from Massachusetts [Mr. LODGE] says, to have the bill taken up and disposed of now.

The PRESIDING OFFICER. Does the Senator from New Jersey ask unanimous consent for the present consideration of the bill?

Mr. MARTINE of New Jersey. Mr. President—

Mr. LODGE. I ask unanimous consent for the present consideration of the bill.

Mr. NEWLANDS. I ask unanimous consent for the present consideration of the bill.

The PRESIDING OFFICER. Unanimous consent is asked for the present consideration of the bill. Is there objection?

There being no objection, the Senate proceeded to consider the bill.

Mr. MARTINE of New Jersey. Now, Mr. President, I move to amend the bill, on page 1, line 5, after the name "Houghton," by adding the words:

Sum of \$8,000, \$2,000 of said sum to be paid to Alice V. Houghton upon the passage of this act, and the balance of said amount to be paid in monthly installments of \$75 each: *Provided*, That no sum of money due or to become due to said Alice V. Houghton under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, but shall inure wholly to the benefit of said Alice V. Houghton.

The PRESIDING OFFICER. The Chair suggests to the Senator from New Jersey that it would seem necessary to first move a reconsideration of the votes by which the bill was ordered to a third reading, read the third time, and passed.

Mr. MARTINE of New Jersey. Then, I move, Mr. President, a reconsideration of the votes by which the bill was ordered to a third reading, read the third time, and passed.

The motion was agreed to.

Mr. GALLINGER. Now, I should like to hear the bill read before we do anything further.

Mr. CRAWFORD. I inquire of the Senator from New Jersey whether he is using the printed copy of the bill as it previously passed the Senate? There were some changes made in it.

Mr. MARTINE of New Jersey. I am.

The PRESIDING OFFICER. The Secretary will read the bill as it passed the Senate.

The Secretary read the bill (S. 5137) for the relief of Alice V. Houghton, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Alice V. Houghton the sum of \$4,200, for injuries received while employed in the Bureau of the Census, Washington, D. C., January 31, 1911, said amount to be paid in monthly installments of \$50 each, and not otherwise, for the period of seven years: *Provided*, That no sum of money due or to become due to the said Alice V. Houghton under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, but shall inure wholly to the benefit of the said Alice V. Houghton.

Mr. CULBERSON. Let the amendment proposed by the Senator from New Jersey be stated.

The PRESIDING OFFICER. The Secretary will state the amendment proposed by the Senator from New Jersey.

The Secretary again stated the amendment.

Mr. CULBERSON. Mr. President, I presume the Senator from New Jersey means to strike out certain words that appear in the bill and to insert the amendment proposed by him, though it is not so stated.

Mr. MARTINE of New Jersey. Undoubtedly; that is my proposition, Mr. President.

Mr. GALLINGER. Mr. President, I ask the chairman of the Committee on Claims what amount has already been paid to this unfortunate woman? I think there was a bill passed in her behalf some time ago.

Mr. CRAWFORD. Mr. President, no bill for her relief except this one has ever passed. At the time she was injured the Director of the Census came before the committee and some proceeding was had which possibly resulted in a bill being introduced.

Mr. SMOOT. It resulted in a bill being passed.

Mr. CRAWFORD. I think that is correct, but that was before I was chairman of the committee.

Mr. GALLINGER. It is unquestionably true.

Mr. CRAWFORD. There was an allowance for expenses in the hospital while she was there and for nurses, I think, although I am not sure about it, because it was before I had jurisdiction.

Mr. SMOOT. And her wage for one year.

Mr. CRAWFORD. It amounted to about \$1,500, but it has now all been expended.

Mr. GALLINGER. Yes; I so understand, but I wanted the record correct. A payment has already been made.

Mr. CRAWFORD. I think that statement is absolutely correct, and I think the amount provided was \$1,500. The Senator from Utah was on the committee at that time, and he may have some distinct recollection about it.

Mr. GALLINGER. I had an impression it was a thousand dollars, but I am not sure about it.

Mr. SMOOT. A relief bill for Miss Houghton was passed which allowed her her wage for one year, which, I think, amounted to a thousand dollars.

Mr. CRAWFORD. Eight hundred and forty dollars.

Mr. SMOOT. Eight hundred and forty dollars and whatever expenses there were. I do not remember just the exact amount.

Mr. CRAWFORD. My recollection is that it was \$1,500.

Mr. McCUMBER. Was the \$1,500 paid to her individually, for her own benefit?

Mr. CRAWFORD. I understand that some of it was expended in paying her expenses.

Mr. NEWLANDS. Mr. President, it is impossible to hear what is being said.

Mr. McCUMBER. What I am trying to get at is what has been received by this young lady herself.

Mr. CRAWFORD. Practically nothing, because, as I understand, every dollar of the appropriation which was made was used in defraying her expenses in the hospital and for nurses during the early period of her injury.

Mr. McCUMBER. Is that true, I will ask the Senator, regarding the \$840 which was paid?

Mr. CRAWFORD. I understand so.

Mr. McCUMBER. And she received no benefit from that?

Mr. CRAWFORD. I have that impression about it—that it all went for her expenses.

Mr. MARTINE of New Jersey. That, I think, is correct, Mr. President.

Mr. NEWLANDS. I should like to ask the Senator from South Dakota whether he thinks the sum allowed by this amendment sufficiently compensates this young woman for this terrible accident?

Mr. CRAWFORD. No sum of money can compensate one for an injury of this kind. Money could not compensate the Senator for losing his sight or losing his hearing or losing a leg. There is no money which can compensate for injuries of that kind.

Mr. NEWLANDS. Let me ask the Senator another question. Does he not think that in a case against a private corporation involving an employer's liability the judgment obtained would be a larger sum than the Government of the United States proposes to pay, even under the amendment proposed by the Senator from New Jersey?

Mr. CRAWFORD. That would depend entirely upon the question of negligence and some other questions that might be involved whether it was purely accidental or not. This case was what you might class as an accident, not attributable to the negligence of this young lady nor attributable to the negligence of the Government. It was one of those unfortunate happenings which sometimes occur.

Mr. NEWLANDS. Was it not negligence to have such a shaft as that in that room uncovered and unprotected?

Mr. CRAWFORD. It was not unprotected. We went into that very carefully. There was a revolving shaft running horizontally next to the floor, which was protected by rods.

Mr. NEWLANDS. By what?

Mr. CRAWFORD. By rods; a network of rods covered it. I think it might be said it is just about a stand-off, when you come to the consideration of the question of negligence. This young lady had been working there for months; she knew about this shaft being there; she dropped some cards, as the record shows, and some of them fell under this revolving shaft, so that it was necessary for her to get down on the floor, apparently on her hands and knees, and put her head down pretty close to the floor to reach under and get what she had lost. In that way her hair came in contact with the shaft, even through these rods. Perhaps the electricity or magnetic influence of that shaft was responsible. At any rate her hair was caught and wrapped around the shaft. The accident occurred in that way.

I think the question of negligence is scarcely to be considered in the case at all, because it would be unfortunate for her if we should apply any such rule as that. It is not a clear case where you could charge the Government with being negligent, in view of the fact that the protecting rods had been placed over the shaft. That is the situation with reference to that matter.

If we follow the rule of undertaking to give full compensation, we will have to go back and reconsider many and many a case of injury in the gun shops and on the Isthmus, where we have paid the unfortunate victims only one year's salary, even where they have lost their eyes or both legs or both hands, and where there is present every element that appeals to sympathy.

Mr. NEWLANDS. Mr. President, so far as I am individually concerned, I regard this as a very inadequate compensation for this terrific injury and for the sufferings this poor girl has undergone, and I should be glad largely to increase this amount, but the Senator from New Jersey urges me to permit it to go through granting the amount provided for in his amendment, and, as he has had charge of the matter, I yield to his judgment, although individually, I repeat, I regard this as a very meager allowance to this young woman.

The PRESIDING OFFICER. The question is on the amendment submitted by the Senator from New Jersey. Does the Chair understand the Senator desires to modify his amendment?

Mr. MARTINE of New Jersey. I desire to modify it, as I have indicated to the Secretary.

The PRESIDING OFFICER. The amendment as modified will be stated.

The SECRETARY. On page 1, line 6, after the words "sum of," it is proposed to strike out "\$4,200" and in lieu to insert "\$8,000," and in line 9, after the date "1911," to strike out:

Said amount to be paid in monthly installments of \$50 each, and not otherwise, for the period of seven years: *Provided*, That no sum of money due or to become due to the said Alice V. Houghton under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, but shall inure wholly to the benefit of the said Alice V. Houghton.

And insert:

Two thousand dollars of said sum to be paid to the said Alice V. Houghton upon the passage of this act and the remainder of said sum to be paid in monthly installments of \$75 each: *Provided*, That no sum of money due or to become due to said Alice V. Houghton under this act shall be liable to attachment, levy, or seizure by or under any legal or equitable process whatever, but shall inure wholly to the benefit of the said Alice V. Houghton.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

The amendment was agreed to.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

UNANIMOUS-CONSENT AGREEMENTS.

Mr. LODGE. Mr. President, I desire to have put into the Record certain precedents bearing on the question of unanimous-consent agreements, which we discussed here the other day, as to the power of the Chair to resubmit a request and whether the Chair should ask unanimous consent to resubmit it. I have only had opportunity to examine or have examined the Record of this Congress partly.

I find that on January 23, 1912, the following occurred:

Mr. BROWN. I wish to appeal to the Senator from Utah to let the bill go over. No hearing on the bill has been printed.

The VICE PRESIDENT. The Chair hardly thinks that this proceeding is regular. The motion is not debatable. It has been declared carried, and no Senator has questioned it.

Mr. BROWN. I question now whether the motion has been carried.

The VICE PRESIDENT. The Chair asked the Senator from Missouri if he questioned it; the Chair understood that he simply asked to make a statement; and the Chair asked if unanimous consent would be given therefor.

Mr. REED. The President is in error in regard to my position. I—
The VICE PRESIDENT. If that is so, the Chair will again put the motion. The Chair did not mean to foreclose anybody's right to vote on the proposition.

I find that on April 11, 1912, the following occurred:

Mr. WILLIAMS. I think it is absolutely necessary to have a fair expression of the Senate as to whether one-fifth of its membership or one-fifth of a quorum can demand the yeas and nays if a quorum is not present.

Mr. LODGE. Let the request be again put, Mr. President.

The VICE PRESIDENT. The Chair will again put the request.

Which had already been put and announced as carried.

On the 1st of May, 1912, the following took place:

The PRESIDING OFFICER. Without objection, the message of the President, with the accompanying report, will be referred to the Committee on Foreign Relations.

Mr. BACON. Mr. President, I had not finished.

The PRESIDING OFFICER. And, without objection, the resolution offered by the Senator from Maryland is referred to the Committee on Foreign Relations.

Mr. GALLINGER. The resolution should be stated from the desk.

Mr. BACON. Mr. President, I had the floor, and I had not finished.

The PRESIDING OFFICER. The Chair begs the pardon of the Senator from Georgia. The Chair supposed the Senator had finished.

The question was again put, as follows:

The PRESIDING OFFICER. The resolution proposed by the Senator from Maryland [Mr. Rayner] will be read.

And it was again put.

Mr. GALLINGER. Mr. President—

Mr. LODGE. Just one more.

On August 10, 1912, the following took place:

Mr. SMOOT. I ask unanimous consent that the Senator from New Hampshire [Mr. GALLINGER] be the President of the Senate pro tempore from Monday, August 12, 1912, to Saturday, August 17, 1912, both inclusive.

The PRESIDENT pro tempore. The Senate has heard the motion of the Senator from Utah. Without objection, it will be so ordered.

Mr. GROVER. We can not hear in this part of the Chamber.

The PRESIDENT pro tempore. The Senator from North Dakota not having heard the motion, the Secretary will state it from the desk.

And he put it again.

I merely wish to show that it is not unheard of for the Chair, without asking unanimous consent, to again put the question when any Senator rose and said he had not heard the request or could not obtain the floor before the request was announced as granted.

Mr. GALLINGER. I think there will be no controversy with the Senator from Massachusetts, and I do not think it very important that he should have put this in the Record.

None of the cases to which he alludes involved a unanimous-consent agreement to vote upon a bill on a certain day, and voting upon a bill on a certain day is very much more important than the questions involved in the citations the Senator has made.

I suggested, when interrogated, that had I been in the chair, and objection had been made, I would not have felt it my privilege to put the request again. But it is inconsequential. The Chair can do pretty much anything on matters of that kind as long as it is agreeable to Senators. But I doubt very much whether the authority of the Chair extends to the point the Senator from Massachusetts contends.

THE CALENDAR.

Mr. SMOOT. I ask unanimous consent that the Senate proceed, under Rule VIII, to the consideration of bills on the calendar to which there is no objection.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent for the consideration of unobjected cases on the calendar. Is there any objection? The Chair hears none, and the first bill in order will be stated.

The bill (S. 2493) authorizing the Secretary of the Treasury to make an examination of certain claims of the State of Missouri was announced as first in order.

Mr. SMOOT. Let the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 1505) for the relief of certain officers on the retired list of the United States Navy was announced as next in order.

Mr. GALLINGER. Let the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 2151) to authorize the Secretary of the Treasury to use, at his discretion, surplus moneys in the Treasury in the purchase or redemption of the outstanding interest-bearing obligations of the United States was announced as next in order.

Mr. SMOOT. The bill has been read a couple of times.

Mr. GALLINGER. The bill has heretofore been read.

Mr. SMITH of Georgia. We should like to have the bill again read.

The Secretary again read the bill.

Mr. SMITH of Georgia. This bill has been on the calendar for a very great length of time, so much so that it has almost escaped the attention of a number of us. I had reached the conclusion that it would not be pressed. It seems to me, if it is desired to press it, it ought to go over for a few days, and that we ought to have a distinct understanding, so that all Senators may be notified that the bill is to come up.

Mr. SMOOT. Make the objection.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 256) affecting the sale and disposal of public or Indian lands in town sites, and for other purposes, was announced as next in order.

Mr. SUTHERLAND. The consideration of this bill has heretofore been objected to by the senior Senator from Georgia [Mr. BACON], whom I do not see in his seat, and I ask that it go over.

Mr. SMITH of Georgia. I desire to state that the senior Senator from Georgia is detained at home on account of serious illness in his family. He is in Macon.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 3) to cooperate with the States in encouraging instruction in agriculture, the trades, and industries and home economics in secondary schools; in maintaining instruction in these vocational subjects in State normal schools; in maintaining extension departments in State colleges of agriculture and mechanic arts; and to appropriate money and regulate its expenditure, was announced as next in order.

Mr. GALLINGER. Let the bill go over; and the next one.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 5076) to promote instruction in forestry in States and Territories which contain national forests, was announced as next in order.

Mr. SMOOT. I know there are a number of Senators who have objected to the bill in the past, and they are not at present in the Chamber. Therefore I ask that it go over, although I have no special objection to it.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 2234) to provide for a primary nominating election in the District of Columbia, at which the qualified electors of the said District shall have the opportunity to vote for their first and second choice among those aspiring to be candidates of their respective political parties for President and Vice Presi-

dent of the United States, to elect their party delegates to their national conventions, and to elect their national committeemen, was announced as next in order.

Mr. SUTHERLAND. Let the bill go over.

The PRESIDING OFFICER. The bill will go over.

THE LIFE-SAVING SERVICE.

The bill (S. 2051) to promote the efficiency of the Life-Saving Service was announced as next in order.

The PRESIDING OFFICER. The bill has heretofore been considered in Committee of the Whole, and has been read.

Mr. SMOOT. Has the bill been read?

The PRESIDING OFFICER. It has been read twice.

The Senate, as in Committee of the Whole, resumed the consideration of the bill.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

BILLS, ETC., PASSED OVER.

The bill (S. 5728) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Osage Nation of Indians against the United States, was announced as next in order.

Mr. CRAWFORD. I ask that it go over.

The PRESIDING OFFICER. It will go over.

The resolution (S. Res. 242) directing the Committee on Post Offices and Post Roads to inquire into and report to the Senate whether post-office inspectors are being sent through the country to influence postmasters to aid in the election of delegates for or against any candidate for the Presidency, etc., was announced as next in order.

Mr. LODGE. Let the resolution go over.

The PRESIDING OFFICER. Being objected to, it will go over.

Mr. GALLINGER. Let it go over under Rule IX, if it is to remain on the calendar at all. It ought to be indefinitely postponed.

Mr. SMOOT. I think so, too.

Mr. GALLINGER. I move its indefinite postponement.

Mr. BRISTOW. Let it go to the calendar under Rule IX instead of being indefinitely postponed.

Mr. GALLINGER. That is satisfactory.

The PRESIDING OFFICER. In the absence of objection, the resolution will go over under Rule IX.

Mr. GALLINGER. I withdraw my motion.

The PRESIDING OFFICER. The Senator from New Hampshire withdraws his motion to indefinitely postpone.

The bill (S. 3316) to repeal an act entitled "An act to promote reciprocal trade relations with the Dominion of Canada, and for other purposes," approved July 26, 1911, was announced as next in order.

Mr. GORE. Let the bill go over. I object.

The PRESIDING OFFICER. The bill is objected to, and goes over.

CONTRACTORS FOR BATTLESHIP INDIANA.

The bill (S. 4840) to carry into effect the judgment of the Court of Claims in favor of the contractors for building the United States battleship *Indiana* was announced as next in order.

Mr. GALLINGER. Let this and the next three bills be passed over.

Mr. CRAWFORD. I move that the bill be indefinitely postponed. There has been an adverse report here for months.

Mr. LODGE. And the next three bills.

Mr. CRAWFORD. The next three bills ought to be placed under Rule IX.

Mr. SMOOT. I hope the Senator will allow the bill for the relief of the contractors of the battleship *Indiana* to go over under Rule IX.

Mr. CRAWFORD. I desire to say to the Senator from Utah that that is utterly ridiculous. I have allowed that bill, notwithstanding an adverse report, to be kept here because parties have said they wanted to propose it as an amendment to the omnibus claims bill, and they have never even proposed the amendment.

Mr. SMOOT. Mr. President—

Mr. CRAWFORD. There is a unanimous adverse report here. No minority views have ever even been filed. As a matter of courtesy I allowed the bill to stand on the calendar, when it should have been indefinitely postponed months ago. It has been here for several months.

Mr. SMOOT. Does the Senator from South Dakota say the bill has received a unanimous adverse report from the committee?

Mr. CRAWFORD. It is a unanimous adverse report.

Mr. SMOOT. I did not so understand it.

Mr. OLIVER. I did not so understand it, either.

Mr. CRAWFORD. Where is the minority report, then?

Mr. OLIVER. It is not necessary to file the views of the minority.

Mr. SMOOT. Let the bill go over under Rule IX.

Mr. CRAWFORD. I insist upon the indefinite postponement of the bill. If counsel insist upon the bill remaining upon the calendar of the Senate, I will entertain the Senate with a two or three hours' discussion of the claim, and its merits can be aired. Otherwise Senators had better let it be indefinitely postponed. I am willing to give counsel a challenge on that right now. If anyone wants the merits of that claim challenged, he can get it.

Mr. OLIVER. What does the Senator from South Dakota mean by "counsel"?

Mr. SMOOT. Yes.

Mr. CRAWFORD. I mean "Senator." "Counsel" is an honorable designation, but I will change it.

The PRESIDING OFFICER. The Senator from South Dakota—

Mr. CRAWFORD. I move that the further consideration of the bill be indefinitely postponed, basing it upon the adverse report.

Mr. SMOOT. Under the unanimous-consent agreement we are proceeding here with the consideration of bills to which there is no objection.

Mr. GALLINGER. That is right; by unanimous consent.

Mr. SMOOT. We are proceeding with the consideration of bills to which there is no objection. Any Senator can object to the consideration of the bill. I have no more interest in this claim than I have in any other claim.

Mr. CRAWFORD. We will discuss it at length some day.

Mr. SMOOT. Under that rule I shall now reserve the right to object.

Mr. CRAWFORD. I ask that the bill may go over. I do not want it to go under Rule IX. There is no graveyard for the bill, unless it is going to be indefinitely postponed.

The PRESIDING OFFICER. The present consideration of the bill is objected to, and it goes over.

BILLS PASSED OVER.

Mr. GALLINGER. Let the next three bills be passed over.

The bill (S. 4159) for the relief of F. M. Lyman, jr., the bill (S. 4230) for the relief of Robert F. Scott, and the bill (S. 364) for the relief of Ranney Y. Lyman were announced as next in order on the calendar.

The PRESIDING OFFICER. The bills will be passed over.

Mr. GALLINGER. Let them go over under Rule IX, unless there is objection.

The PRESIDING OFFICER. The Chair hears no objection, and it is so ordered.

The bill (S. 111) to authorize the sale and disposition of the surplus and unallotted lands in Washabaugh County, in the Pine Ridge Indian Reservation, in the State of South Dakota, and making appropriation to carry the same into effect, was announced as next in order.

Mr. CRAWFORD. Let that bill go over.

Mr. CLAPP rose.

Mr. CRAWFORD. Did the Senator from Minnesota desire to have it read?

Mr. CLAPP. The Senator's colleague, who is interested in the bill, is absent.

Mr. CRAWFORD. My colleague is likely to be here within a day or two. I think the bill should go over.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it goes over.

The bill (S. 5186) to incorporate the Brotherhood of North American Indians was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it goes over.

The bill (S. 461) conferring jurisdiction on the Court of Claims to hear, determine, and render judgment in claims of the Ponca Tribe of Indians against the United States was announced as next in order.

Mr. GALLINGER. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 5917) relating to procedure in United States courts was announced as next in order.

Mr. BRISTOW. I ask that the bill may go over.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it goes over.

Mr. BRISTOW subsequently said: Inadvertently I objected to the consideration of Senate bill 5917. I thought the Secre-

tary was referring to Senate bill 461. Personally I have no objection to Senate bill 5917.

The PRESIDING OFFICER. Does the Senator from Kansas withdraw his objection?

Mr. BRISTOW. I do.

Mr. GALLINGER. Then let the bill be read.

The PRESIDING OFFICER. The objection having been withdrawn, the Senate will return to the bill, without objection.

Mr. CLARKE of Arkansas. Mr. President, the scope of that bill goes beyond its title. The effect of it would be to make a very radical change in the entire judicial system as administered in the Federal courts, and it ought to have very thorough discussion before it is seriously considered by the Senate. I object to its present consideration.

The PRESIDING OFFICER. Being objected to, the bill goes over.

The bill (S. 118) granting an increase of pension to Harriet Pierson Porter was announced as next in order.

Mr. McCUMBER. The Senator from Delaware [Mr. DU PONT] not being present, I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 1) to establish a department of health, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let the bill go over, Mr. President.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 5169) authorizing the Ponca Tribe of Indians to intervene in the suit of the Omaha Indians in the Court of Claims, and for other purposes, was announced as next in order.

Mr. CRAWFORD. I ask that the bill may go over.

The PRESIDING OFFICER. Consideration being objected to, the bill goes over.

The bill (S. 6497) to protect migratory game and insectivorous birds in the United States was announced as next in order.

Mr. SMOOT. Let the bill go over, as I understand the Senator from Connecticut [Mr. McLEAN], who has the bill in charge, has given notice that he will call it up next Wednesday.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it goes over.

The bill (S. 3463) to establish a Bureau of National Parks, and for other purposes, was announced as next in order.

Mr. GALLINGER. Let the bill go over.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

The bill (S. 2371) to amend section 3224 of the United States Compiled Statutes so as to prevent the restraining of the assessment or collection of any tax—State, county, municipal, district, or Federal—was announced as next in order.

Mr. SUTHERLAND. Let that bill go over.

The PRESIDING OFFICER. The bill will go over.

The bill (S. 5455) to establish a system of wireless telegraphy in the Philippine Islands was announced as next in order.

Mr. BRISTOW. Let that go over.

The PRESIDING OFFICER. Consideration is objected to, and the bill goes over.

The bill (S. 1231) for the relief of the heirs of John W. West, deceased, was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill will go over.

Mr. GORE. I should like to have it go to Rule IX.

The PRESIDING OFFICER. The Senator from Oklahoma asks that the bill go over under Rule IX. Is there objection?

Mr. SMOOT. I have no objection.

Mr. GALLINGER. No objection.

The PRESIDING OFFICER. The Chair hears none, and it is so ordered.

The bill (S. 5955) for the relief of certain retired officers of the Navy and Marine Corps was announced as next in order.

Mr. CLARKE of Arkansas. Let that go over.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it goes over.

The bill (H. R. 1332) regulating Indian allotments disposed of by will was announced as next in order.

Mr. GALLINGER. The Senator reporting the bill not being present, I ask that it may go over.

The PRESIDING OFFICER. Present consideration is objected to, and the bill goes over.

The bill (S. 5863) for the retirement of employees in the civil service, and for other purposes, was announced as next in order.

Mr. CLARKE of Arkansas. I object to the present consideration of that bill.

The PRESIDING OFFICER. Present consideration is objected to, and the bill goes over.

The bill (S. 4654) to regulate contracts for the future delivery of cotton was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. Consideration is objected to, and the bill goes over.

STATE GAME RESOURCES.

The bill (S. 6109) for the protection and increase of State game resources was announced as next in order.

Mr. SMOOT. The Senator reporting the bill is not here to explain it.

Mr. BRANDEGEE. I have sent for the Senator from Connecticut [Mr. McLEAN], and he will be here in just a minute. Until he arrives I will take care of the bill, if the Senator will withhold his objection until that time.

Mr. SMOOT. I will withhold it.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read.

Mr. BRANDEGEE. There is a report accompanying the bill, which I have not had time to look into. I notice that the bill was introduced by the Senator from California [Mr. PERKINS], who is a member of the committee from which it was reported. The chairman of the committee will be here in a minute. I will ask, if there be no objection, that the bill be put on its passage.

Mr. CLARKE of Arkansas. Mr. President, this is another measure of very comprehensive application. It is rather a novel subject to be treated by national legislation. I had always rested under the impression that the game of the several States belonged to the State until it was taken by the citizens of the State, and that it was subject to the statutes the several States saw proper to pass. It would be an interesting investigation to determine that ownership is in the National Government or subject to the regulation of the National Government, and I think the bill had better wait until we have time to discuss that. We are working to-day under a rule which provides for the consideration of unobjected bills, which practically means those that provoke no discussion and require no explanation—bills that are somewhat local in character or which are so obviously proper that nobody objects to their consideration.

I have no more interest in the general question involved in the bill than other Senators, but I would rather have it discussed and be ready to discuss it when there would be room for some remarks from me. I believe I will ask that the bill shall go over.

Mr. BRANDEGEE. Of course, what the Senator says is equivalent to an objection, and I therefore make no further request.

The PRESIDING OFFICER. The consideration of the bill is objected to, and it goes over.

PUBLIC BUILDING AT LAS VEGAS, N. MEX.

The bill (S. 6744) to provide for the purchase of an extension to the site and the erection of a Federal building in Las Vegas, N. Mex., was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Buildings and Grounds with an amendment, to strike out all after the enacting clause and to insert:

That the Secretary of the Treasury be, and he is hereby, authorized and directed to contract for the erection and completion in the city of Las Vegas, N. Mex., of a suitable building, including fireproof vaults, heating and ventilating apparatus, elevators, and approaches, complete, for the use and accommodation of the United States post office, Federal court, and other Government offices upon ground already authorized by the Government for such purpose, the cost of said building not to exceed the sum of \$100,000.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to provide for the erection of a Federal building in Las Vegas, N. Mex."

BILLS, ETC., PASSED OVER.

The next business on the calendar was the joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

Mr. LODGE. Let that go over.

The PRESIDING OFFICER. The joint resolution will go over.

The bill (S. 4584) to promote the efficiency of the Naval Militia, and for other purposes, was announced as next in order.

Mr. CLARKE of Arkansas. I object to that bill being considered to-day.

The PRESIDING OFFICER. The consideration of the bill being objected to, it goes over.

The bill (S. 5069) to promote the efficiency of the enlisted personnel of the United States Navy was announced as next in order.

Mr. CLARKE of Arkansas. I make the same request as to that bill.

The PRESIDING OFFICER. The present consideration of the bill being objected to, it goes over.

PAROLE OF PRISONERS.

The bill (H. R. 14925) to amend "An act to parole United States prisoners, and for other purposes," approved June 25, 1910, was considered as in Committee of the Whole. It proposes to amend section 1 of the "Act to parole United States prisoners, and for other purposes," approved June 25, 1910, so as to read:

That every prisoner who has been or may hereafter be convicted of any offense against the United States and is confined in execution of the judgment of such conviction in any United States penitentiary or prison for a definite term or terms of over one year, or for the term of his natural life, whose record of conduct shows that he has observed the rules of such institution, and who, if sentenced for a definite term, has served one-third of the total of such term or terms for which he was sentenced, or, if sentenced for the term of his natural life, has served not less than 15 years, may be released on parole as hereinafter provided.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. BRANDEGEE. I ask permission to insert the following letter from the Attorney General in relation to the bill.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

DEPARTMENT OF JUSTICE, July 31, 1912.

MY DEAR SENATOR: I am very much interested in a bill now pending before the Senate, having passed the House, being H. R. 14925, amending the act to parole United States prisoners, approved June 25, 1910, by extending the benefit of the parole law to prisoners who have been sentenced for life terms. This amendment was recommended by the members of the Federal boards of parole (see Report Attorney General, Appendix 29, p. 398) and by me in my annual report for 1911 (p. 73). In that report I used the following language:

"I concur in the recommendations made by the boards of parole in their report that the law should be modified so as to include within its provisions prisoners undergoing life sentences by providing, as is done in the statutes of a number of States, that such prisoners shall be eligible to parole when they shall have actually served some long period of years. There are now upward of 200 prisoners serving life sentences in Federal penitentiaries. At present the only hope of a life prisoner, no matter how exemplary his conduct may be, lies in the exercise by the President of the power of Executive clemency. I believe it to be more to the interests of society that such prisoners should be liberated on parole, subject to the supervision and regulation which is possible under the parole law, than that they should be discharged absolutely by Executive pardon. In this connection I invite careful attention to a consideration by Congress of the desirability of adopting the indeterminate sentence for prisoners, such as prevails in many of the States. That system is an important, if not a necessary, adjunct to a parole law. The system has produced excellent results and is regarded by the most enlightened penologists as embodying the most successful method of dealing with the punishment of crime."

The subject of the extension of the parole law to life prisoners was considered by the American Prison Association, among whose members are the most able and prominent students of prison discipline and reform in the country, at its meeting held at Richmond, Va., in 1908, and a committee of five was appointed to make investigations and report the following year upon the advisability of extending the benefit of parole to life prisoners. That committee submitted a report to the association at its meeting in Seattle in 1909, which is printed in the report of the transactions of the association for that year. It unanimously reported in favor of the extension of the benefit of parole to life prisoners, discussing very fully all of the arguments for and against such action, and its report was adopted by the association. The committee discusses the two main hostile criticisms which have been urged against the extension of the parole law to cover life prisoners, namely, first, that it would tend to blur the deterrent effects of life imprisonment; and, second, that the power of parole might be exercised unwisely. These objections, the committee states, seem to mistake fears for facts and shadows for substance. The first for the reason that, after a period ranging from 10 to 30 years and after the details of the crime have faded from public memory, the deterrent influence which life imprisonment exerts upon others becomes vitiated, if, indeed, the value of life penalties is not rated too highly as a preventive force; and the second for the reason that, to quote the words of the committee:

"... every consideration by which responsible authorities are moved would encourage the avoidance of rashness and the exercise of caution and discrimination in granting conditional releases to life prisoners and would operate against any reckless breaking of eggs to make liberty omelets."

The conclusions reached by the committee are as follows:

"1. The extension of parole to life prisoners who, according to expert judgment, are safe to be at large, whose offense was born of an overmastering impulse, and whose previous record was not vicious puts in their hands the tools of social rehabilitation, interprets penalties in terms of humanity and of hope, fosters a more even distribution of justice, and is a sound public policy.

"2. No parole that would offend public opinion in the State should be granted. Conditional releases that affront popular sentiment would tend to discredit the whole parole system and would be a tragedy of administration.

"3. No life prisoner should be paroled until he has served long enough to satisfy the reasonable requirements of justice, as construed by the enlightened sentiment of the Commonwealth, and until the immediate prejudices growing out of the crime disappear and suitable employment for the convict has been procured.

"4. A parole should not be based on any arbitrary compliance with prison rules, but the question should be determined by a broad consideration of all the facts bearing on the case, such as the nature and circumstances of the crime, the man's record in prison and out of prison, his general character, and the likelihood of his leading an honorable

life. Emphatically no political or personal pressure should be permitted to influence the calm judgment of the paroling authority.

"5. The wisdom of discarding the definite life penalty for an indeterminate sentence, whose minimum term shall be fixed by law or by the court, and whose maximum term shall be the offender's natural life, is commended to the attention of State legislatures."

I inclose a memorandum of the laws of those States which have extended the benefits of the parole system to life prisoners. Fifteen States in all have taken this action. In probably not more than two of them is it necessary for a life prisoner to serve more than 15 years before he is eligible to parole. This period would seem to be amply sufficient to impress upon the prisoner the seriousness of his crime and to act as a deterrent to others, while at the same time not being long enough to prevent his release until the period when his mental and physical powers are so deteriorated that he can not be of any value in the community. The alternative to granting a parole is the present system of Executive clemency. I inclose a memorandum showing the commutations of sentences which have resulted in the release of prisoners sentenced for terms of life imprisonment during the past five years. There are 51 of them in all, an average of about 10 a year, and of that number only 10 had actually served more than 15 years' imprisonment, the average being about 11½ years. Of course, these prisoners being discharged on the commutation of sentence, the authorities had no further hold upon them, and the experiment of release must be solved in advance, whereas under the parole system, should the release of the prisoner prove to be detrimental to society, he may be retaken and returned to the penitentiary.

There are applications for Executive clemency in 21 life cases now pending before the department, action on which has been delayed because of the pendency of the bill H. R. 14925.

I believe the proposed law is in conformity with the views of the best-known penologists and of the most thoughtful students of prison reform. I sincerely hope you may see your way clear to support it, and I should be much obliged if you would give me an opportunity to discuss the matter further with you in case you are not disposed to favor the passage of the bill.

Very respectfully, yours,

GEORGE W. WICKERSHAM,
Attorney General.

BOTANICAL LABORATORY.

The bill (S. 93) to establish a botanical laboratory at Denver, Colo., was announced as next in order.

Mr. OLIVER. Let that go over.

The PRESIDING OFFICER. Objection is made and the bill goes over.

MOUNT RAINIER NATIONAL PARK.

The bill (S. 4958) to accept the cession by the State of Washington of exclusive jurisdiction over the lands embraced within the Mount Rainier National Park, and for other purposes, was announced as next in order.

Mr. JONES. Mr. President, I simply desire to state that the bill is practically a copy of the law that is now in force with reference to the protection of the Yellowstone National Park. While it contains a number of provisions of a criminal character and so on, those provisions are just the same as those which have been in force in connection with the Yellowstone National Park. The bill is urged very strongly by the Secretary of the Interior, and it is a matter of considerable importance.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 2, page 2, line 15, before the word "courts," to strike out "and circuit," so as to make the section read:

SEC. 2. That said park shall constitute a part of the United States judicial district of Washington, and the district courts of the United States in and for said district shall have jurisdiction of all offenses committed within said boundaries.

The amendment was agreed to.

The next amendment was, on page 6, to strike out section 7, in the following words:

SEC. 7. That any United States commissioner duly appointed by the United States Court for the Western District of Washington and residing in said district shall have power and jurisdiction to hear and act upon all complaints made of any and all violations of this act or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this act. That any such commissioner shall have power, upon sworn complaint, to issue process in the name of the United States for the arrest of any person charged with a violation of this act or of the rules and regulations made by the Secretary of the Interior, as aforesaid, or with any misdemeanor or other like offense, the punishment provided for which does not exceed a fine of \$100, and to try the person thus charged, and, if found guilty, to impose the punishment and adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of any such commissioner to the United States District Court for the Western District of Washington. The said United States district court shall prescribe rules of procedure and practice for said commissioner in the trial of cases and with reference to said appeals.

And to insert in lieu thereof a new section, as follows:

SEC. 7. That the United States District Court for the Western District of Washington shall appoint a commissioner, who shall reside in the park and who shall have jurisdiction to hear and act upon all complaints made of any violation of law or of the rules and regulations made by the Secretary of the Interior for the government of the park and for the protection of the animals, birds, and fish, and objects of interest therein, and for other purposes authorized by this act. Such commissioner shall have power, upon sworn information, to issue process in the name of the United States for the arrest of any person charged with the commission of any misdemeanor, or charged with a

violation of the rules and regulations, or with a violation of any provision of this act prescribed for the government of said park and for the protection of the animals, birds, and fish in said park, and to try the person so charged, and, if found guilty, to impose the punishment and adjudge the forfeiture prescribed. In all cases of conviction an appeal shall lie from the judgment of said commissioner to the United States District Court for the Western District of Washington, and the United States district court in said district shall prescribe rules of procedure and practice for said commissioner in the trial of cases and for appeal to said United States district court.

The amendment was agreed to.

The next amendment was, on page 8, to strike out section 10, in the following words:

SEC. 10. That such commissioner and the marshal of the United States and his deputies in the western district of Washington shall be paid the same fees and compensation as are now provided by law for like services in said district.

And to insert in lieu thereof a new section, as follows:

SEC. 10. That the commissioner provided for in this act shall, in addition to the fees allowed by law to commissioners of the district courts of the United States, be paid an annual salary of \$1,500, payable quarterly.

The amendment was agreed to.

Mr. SUTHERLAND. I call attention to the word "courts," in section 2, page 2, line 15. It should be in the singular number; it should be "court."

The PRESIDING OFFICER. The amendment suggested by the Senator from Utah will be stated.

The SECRETARY. In section 2, page 2, line 15, after the words "the district," it is proposed to strike out "courts" and insert "court."

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

WILLIAM MULLALLY.

The bill (S. 1485) for the relief of William Mullally was announced as next in order.

Mr. LODGE. That bill is adversely reported, and I suggest that it be indefinitely postponed.

The PRESIDING OFFICER. Does the Senator from Massachusetts object to the present consideration of the bill?

Mr. LODGE. No; I do not object.

Mr. SANDERS. The Senator from Ohio [Mr. POMERENE] asked that this bill go to the calendar, and I see that he is now in the Chamber. The bill is accompanied by an adverse report, and, unless the Senator from Ohio objects, I think it should be indefinitely postponed.

Mr. POMERENE. Mr. President, I ask that the bill be passed over.

The PRESIDING OFFICER. On objection of the Senator from Ohio, the bill goes over.

NATIONAL INSTITUTE OF ARTS AND LETTERS.

The bill (S. 4355) incorporating the National Institute of Arts and Letters was considered as in Committee of the Whole.

Mr. ROOT. The bill has been read, Mr. President.

The PRESIDING OFFICER. The bill has been read. The Secretary will state the amendments.

The bill was reported from the Committee on the Judiciary with amendments.

The first amendment was, in section 1, page 1, line 11, after the name "Bliss," to strike out the name "Carmen" and insert "Carman"; in the same line, after the word "of," to insert "Massachusetts"; on page 2, line 11, before the name "Virginia," to insert "West"; in the same line, after the name "Virginia," to strike out "Henry B. Fuller, of Illinois"; in line 24, after the word "of" where it occurs the second time, to strike out "Connecticut" and insert "New York"; on page 3, line 8, before the name "Clair," to strike out "Saint" and to insert "St."; on page 4, line 1, before the word "of," to strike out "Seaton" and insert "Seton"; in line 4, after the name "Thomas," to strike out "Russell" and insert "Russell"; in line 9, before the name "Dyke," to strike out "Van" and insert "van"; on page 6, line 4, after the word "of," to strike out "Kentucky" and insert "Ohio"; in line 21, after the word "of" where it occurs the second time, to strike out "California" and insert "Ohio"; in line 24, after the word "of" where it occurs the first time, to insert "Connecticut"; on page 7, line 5, after the name "Pennsylvania," to strike out "their associates"; and in the same line, before the word "successors," to insert "their," so as to make the section read:

That Brooks Adams, of Massachusetts; Charles Francis Adams, of Massachusetts; Henry Adams, of the District of Columbia; George Ade, of Indiana; Henry M. Alden, of New Jersey; Richard Aldrich, of New York; James Lane Allen, of New York; Simeon E. Baldwin, of Connecticut; Arlo Bates, of Massachusetts; Robert Bridges, of New York;

W. C. Brownell, of New York; John Burroughs, of New York; Richard Burton, of Minnesota; George W. Cable, of Massachusetts; Bliss Carman, of Massachusetts; Madison J. Cawein, of Kentucky; Robert William Chambers, of New York; Edward Channing, of Massachusetts; John Vance Cheney, of California; Winston Churchill, of New Hampshire; James B. Connolly, of Massachusetts; Royal Cortissoz, of New York; Wilbur Lucius Cross, of Connecticut; Samuel McChord Crothers, of Massachusetts; Charles de Kay, of New York; Finley P. Dunne, of New York; Maurice F. Egan, of the District of Columbia; Chester Bailey Fernald, of California; Henry T. Finck, of New York; John Huston Finley, of New York; Worthington C. Ford, of Massachusetts; John Fox, jr., of West Virginia; Horace Howard Furness, of Pennsylvania; Horace Howard Furness, jr., of Pennsylvania; Hamlin Garland, of Illinois; Basil L. Gildersleeve, of Maryland; William Gillette, of Connecticut; Lawrence Gilman, of New York; George A. Gordon, of Massachusetts; Robert Grant, of Massachusetts; Ferris Greenslet, of Massachusetts; W. E. Griffin, of New York; A. T. Hadley, of Connecticut; Arthur Sherburne Hardy, of Connecticut; George McLean Harper, of New Jersey; Oliver Herford, of New York; Robert Herrick, of Illinois; Ripley Hitchcock, of New York; M. A. De Wolfe Howe, of Massachusetts; W. D. Howells, of New York; Archer M. Huntington, of New York; Henry James, of Massachusetts; Owen Johnson, of New York; R. U. Johnson, of New York; George Kennan, of New York; Nelson Lloyd, of New York; Henry Cabot Lodge, of Massachusetts; John Luther Long, of Pennsylvania; T. R. Lounsbury, of Connecticut; Robert Morss Lovett, of Illinois; Abbott Lawrence Lowell, of Massachusetts; Charles F. Lummis, of California; H. W. Mabie, of New Jersey; Percy Mackaye, of New Hampshire; A. T. Mahan, of New York; Edwin Markham, of New York; Edward S. Martin, of New York; Brander Matthews, of New York; St. Clair McKelway, of New York; John Bach McMaster, of Pennsylvania; Joaquin Miller, of California; John A. Mitchell, of New York; Langdon E. Mitchell, of Pennsylvania; Paul Elmer More, of New York; Harrison S. Morris, of Pennsylvania; John Torrey Morse, jr., of Massachusetts; John Muir, of California; Meredith Nicholson, of Indiana; Thomas Nelson Page, of the District of Columbia; Will Payne, of Illinois; William Morton Payne, of Illinois; Harry Thurston Peck, of New York; Bliss Perry, of Massachusetts; Thomas Sergeant Perry, of Massachusetts; William Lyon Phelps, of Connecticut; A. S. Pier, of Massachusetts; James Ford Rhodes, of Massachusetts; James Whitcomb Riley, of Indiana; Charles G. D. Roberts, of New York; Edward A. Robinson, of New York; Theodore Roosevelt, of New York; Josiah Royce, of Massachusetts; Felix E. Schelling, of Pennsylvania; Montgomery Schuyler, of New York; Clinton Scollard, of New York; Henry D. Sedgwick, of New York; Ernest Thompson Seton, of Connecticut; Frank Dempster Sherman, of New York; Paul Shorey, of Illinois; William M. Sloane, of New York; F. Hopkinson Smith, of New York; Thomas Russell Sullivan, of Massachusetts; Booth Tarkington, of Indiana; Abbott Handerson Thayer, of New Hampshire; William R. Thayer, of Massachusetts; Augustus Thomas, of New York; Frank L. Tooker, of New York; Ridgely Torrence, of New York; William P. Trent, of New York; Henry van Dyke, of New Jersey; John C. Van Dyke, of New Jersey; Barrett Wendell, of Massachusetts; Andrew F. West, of New Jersey; Andrew Dickson White, of New York; William Allen White, of Kansas; Charles G. Whiting, of Massachusetts; Jesse Lynch Williams, of New Jersey; Harry Leon Wilson, of Indiana; Woodrow Wilson, of New Jersey; Owen Wister, of Pennsylvania; George E. Woodberry, of Massachusetts; Herbert Adams, of New Hampshire; John W. Alexander, of New York; George F. Babb, of New York; Hugo Ballin, of New York; George Gray Barnard, of New York; Paul W. Bartlett, of New York; J. Carroll Beckwith, of New York; Frank W. Benson, of Massachusetts; Karl Bitter, of New Jersey; Edwin H. Blashfield, of New York; Richard E. Brooks, of New York; Glenn Brown, of the District of Columbia; George De Forest Brush, of New York; William Gedney Buncie, of Connecticut; Daniel Hudson Burnham, of Illinois; Francis D. Millet, of New York; H. Siddons Mowbray, of Connecticut; Leonard Ochtman, of Connecticut; Maxfield Parrish, of New Hampshire; Robert S. Peabody, of Massachusetts; Charles Sprague Pearce, of Massachusetts; Joseph Pennell, of Pennsylvania; Charles A. Platt, of New Hampshire; George B. Post, of New York; Edward Clark Potter, of Massachusetts; Bela L. Pratt, of Massachusetts; A. Plimister Proctor, of New York; Edward W. Redfield, of Pennsylvania; Robert Reid, of New York; F. G. R. Roth, of New York; F. W. Ruckstuhl, of New York; Albert P. Ryder, of New York; John S. Sargent, of Massachusetts; W. E. Schofield, of Pennsylvania; H. M. Shradley, of New York; Edward Simmons, of New York; William T. Smedley, of New York; Lorado Taft, of Illinois; Edmund C. Tarbell, of Massachusetts; Abbott H. Thayer, of New York; E. C. Tarbell, of Massachusetts; D. W. Tryon, of New York; Elihu Vedder, of Massachusetts; Lionel Walden, of Connecticut; Henry Oliver Walker, of New Jersey; Horatio Walker, of Canada; Whitney Warren, of New York; Adolph A. Weinman, of New York; J. Alden Weir, of New York; Irving R. Willes, of New York; Emil Carlsen, of New York; William M. Chase, of New York; Timothy Cole, of New York; Walter Cook, of New York; Kenyon Cox, of New York; Frederic Crowninshield, of New York; William T. Dannat, of New York; Frank Miles Day, of Pennsylvania; Joseph De Camp, of Massachusetts; Charles Melville Dewey, of New York; Thomas W. Dewing, of New York; Frederick Dielman, of New York; John M. Donaldson, of Michigan; Paul Dougherty, of New York; Frank Duveneck, of Ohio; Ben Foster, of New York; Daniel C. French, of New York; Walter Gay, of Massachusetts; Charles Dana Gibson, of New York; Cass Gilbert, of New York; Charles Grafly, of Pennsylvania; Jules Guérin, of New York; H. J. Hardenburgh, of New Jersey; Alexander Harrison, of Pennsylvania; Birge Harrison, of South Carolina; Childo Hassam, of New York; Thomas Hastings, of New York; Robert Henri, of New York; John Galen Howard, of California; William Henry Howe, of New York; Samuel Isham, of New York; Francis C. Jones, of New York; H. Bolton Jones, of New York; W. Sergeant Kendall, of New York; Bancel La Farge, of New York; Will H. Low, of New York; Frederick Macmonnies, of New York; Carl Marr, of Wisconsin; Walter McEwen, of Illinois; Hermon A. MacNell, of New York; William Ruthenford Mead, of New York; Garl Melchers, of New York; Willard L. Metcalf, of New York; H. K. Hadley, of New York; Victor Herbert, of New York; Edgar Stillman Kelley, of Ohio; Charles M. Loeffler, of Massachusetts; Horatio W. Parker, of Connecticut; Harry Rowe Shelley, of New York; David S. Smith, of Connecticut; F. Van der Stucken, of Ohio; Arthur Whiting, of New York; Arthur Bird, of Massachusetts; Howard Brockway, of Maryland; G. W. Chadwick, of Massachusetts; F. S. Converse, of Massachusetts; Walter Damrosch, of New York; Reginald De Koven, of New York; Arthur Foote, of Massachusetts; W. W. Gilchrist, of Pennsylvania; and their successors duly chosen, are hereby incorporated, constituted, and declared to be a body corporate of the District of Columbia, by the name of the National Institute of Arts and Letters.

The amendment was agreed to.

The next amendment was, on page 7, after line 8, to insert:

Sec. 2. That the purposes of this corporation are, and shall be, the furtherance of the interests of literature and the fine arts.

The amendment was agreed to.

The next amendment was, in section 2 (3), line 14, before the word "members," to strike out "ordinary" and insert "regular"; in line 15, after the word "its," to strike out "own organization, including its constitution"; in line 18, before the word "domestic," to strike out "and"; in line 19, after the word "domestic," to insert "or honorary associate"; in the same line, after the word "division," to insert "of such members"; and, in line 21, after the word "institution," to strike out "and to report the same to Congress," so as to make the section read:

Sec. 3. That the National Institute of Arts and Letters shall consist of not more than 250 regular members, and the said corporation hereby constituted shall have power to make its by-laws and rules and regulations; to fill all vacancies created by death, resignation, or otherwise; to provide for the election of foreign, domestic, or honorary associate members, the division of such members into classes, and all other matters needful or usual in such institution.

The amendment was agreed to.

The next amendment was, in section 3 (4), page 7, line 24, after the word "designated," to insert "and shall make an annual report to the Congress, to be filed with the Librarian of Congress," so as to make the section read:

Sec. 4. That the National Institute of Arts and Letters shall hold an annual meeting at such place in the United States as may be designated, and shall make an annual report to the Congress, to be filed with the Librarian of Congress.

The amendment was agreed to.

The next amendment was, in section 4 (5), page 8, line 5, after the word "receive," to insert "devise"; in the same line, after the word "donations," to insert "of real or personal property"; in line 6, after the word "and," to insert "to"; and, in the same line, after the word "trust," to strike out "to be applied by the said institute in aid of investigations in art and literature and according to the will of the said donors" and insert "and to invest and reinvest the same for the furtherance of the interests of literature and the fine arts," so as to make the section read:

Sec. 5. That the National Institute of Arts and Letters be, and the same is hereby, authorized and empowered to receive devises, bequests, and donations of real or personal property, and to hold the same in trust, and to invest and reinvest the same for the furtherance of the interests of literature and the fine arts.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL ACADEMY OF ARTS AND LETTERS.

The bill (S. 4356) incorporating the National Academy of Arts and Letters was considered as in Committee of the Whole.

The PRESIDING OFFICER. This bill was read in full on August 12 of last year. The amendment will be stated.

The bill was reported from the Committee on the Judiciary with an amendment, in section 5, page 3, line 20, after the word "receive," to insert "devise," so as to make the section read:

Sec. 5. That the American Academy of Arts and Letters be, and the same is hereby, authorized and empowered to receive devises, bequests, and donations of real or personal property and to hold the same in trust, and to invest and reinvest the same for the purpose of furthering the interests of literature and the fine arts.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

IMMIGRATION OF ALIENS.

Mr. LODGE. I submit a conference report on the immigration bill.

The PRESIDING OFFICER. The Senator from Massachusetts submits a privileged report, which will be read.

The Secretary read as follows:

The committee of conference on the disagreeing votes of the two Houses to the bill (S. 3175) entitled "An act to regulate the immigration of aliens to and the residence of aliens in the United States" having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment as follows.

Strike out all of said amendment and insert in lieu thereof the following:

"An act to regulate the immigration of aliens to and the residence of aliens in the United States.

"Be it enacted, etc., That the word 'alien' wherever used in this act shall include any person not a native born or naturalized citizen of the United States, but this definition shall not be held to include Indians not taxed or citizens of the islands under the jurisdiction of the United States. That the term 'United States' as used in the title as well as in the various sections of this act shall be construed to mean the United States and any waters, territory, or other place subject to the jurisdiction thereof, except the Isthmian Canal Zone; but if any alien shall leave the Canal Zone and attempt to enter any other place under the jurisdiction of the United States, nothing contained in this act shall be construed as permitting him to enter under any other conditions than those applicable to all aliens. That the term 'seaman' as used in this act shall include every person signed on the ship's articles and employed in any capacity on board any vessel arriving in the United States from any foreign port or place.

"That this act shall be enforced in the Philippine Islands by officers of the General Government thereof designated by appropriate legislation of said Government.

"Sec. 2. That there shall be levied, collected, and paid a tax of \$5 for every alien, including alien seamen regularly admitted as provided in this act, entering the United States. The said tax shall be paid to the collector of customs of the port of customs district to which said alien shall come, or, if there be no collector at such port or district, then to the collector nearest thereto, by the master, agent, owner, or consignee of the vessel, transportation line, or other conveyance or vehicle bringing such alien to the United States, or by the alien himself if he does not come by a vessel, transportation line, or other conveyance or vehicle. The tax imposed by this section shall be a lien upon the vessel or other vehicle of carriage or transportation bringing such aliens to the United States, and shall be a debt in favor of the United States against the owner or owners of such vessel or other vehicle, and the payment of such tax may be enforced by any legal or equitable remedy. That the said tax shall not be levied on account of aliens who shall enter the United States after an uninterrupted residence of at least one year, immediately preceding such entrance, in the Dominion of Canada, Newfoundland, the Republic of Cuba, or the Republic of Mexico, nor on account of otherwise admissible residents of any possession of the United States, nor on account of aliens in transit through the United States, nor upon aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, by agreement with transportation lines, as provided in section 23 of this act, may arrange in some other manner for the payment of the tax imposed by this section upon any or all aliens seeking admission from foreign contiguous territory: *Provided further*, That said tax, when levied upon aliens entering the Philippine Islands, shall be paid into the treasury of said islands, to be expended for the benefit of such islands: *Provided further*, That in the cases of aliens applying for admission from foreign contiguous territory and rejected, the head tax collected shall upon application be refunded to the alien: *Provided further*, That the provisions of this section shall not apply to aliens arriving in Guam or Hawaii; but if any such alien, not having become a citizen of the United States, shall later arrive at any port or place of the United States on the North American Continent the provisions of this section shall apply.

"Sec. 3. That the following classes of aliens shall be excluded from admission into the United States: All idiots, imbeciles, feeble-minded persons, epileptics, insane persons, and persons who have been insane within five years previous; persons who have had one or more attacks of insanity at any time previously; paupers; persons likely to become a public charge; professional beggars; vagrants; persons afflicted with tuberculosis in any form or with a loathsome or dangerous contagious disease; persons not comprehended within any of the foregoing excluded classes who are found to be and are certified by the examining surgeon as being mentally or physically defective, such mental or physical defect being of a nature which may affect the ability of such alien to earn a living; persons who have committed a felony or other crime or misdemeanor involving moral turpitude; citizens or subjects of any country that issues penal certificates or certificates of character who do not produce to the immigration officials such a certificate; poly-

amists, or persons who admit their belief in the practice of polygamy; anarchists, or persons who believe in or advocate the overthrow by force or violence of the Government of the United States, or of all forms of law, or who disbelieve in or are opposed to organized government, or who advocate the assassination of public officials; persons who are members of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocate or teach the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character; prostitutes, or women or girls coming into the United States for the purpose of prostitution or for any other immoral purpose; persons who procure or attempt to bring in prostitutes or women or girls for the purpose of prostitution or for any other immoral purpose; persons who are supported by or receive in whole or in part the proceeds of prostitution; persons hereinafter called contract laborers, who have been induced, assisted, encouraged, or solicited to migrate to this country by offers or promises of employment, whether such offers or promises are true or false, or in consequence of agreements, oral, written or printed, express or implied, to perform labor in this country of any kind, skilled or unskilled; persons who have come in consequence of advertisements for laborers printed, published, or distributed in a foreign country; persons who have been deported under any of the provisions of this act, and who may again seek admission within one year from the date of such deportation, unless prior to their reembarkation at a foreign port the Secretary of Commerce and Labor shall have consented to their reapplying for admission; persons whose ticket or passage is paid for with the money of another, or who is assisted by others to come, unless it is affirmatively and satisfactorily shown that such person does not belong to one of the foregoing excluded classes; persons whose ticket or passage is paid for by any corporation, association, society, municipality, or foreign Government, either directly or indirectly; stowaways, except that any such stowaway may be admitted in the discretion of the Secretary of Commerce and Labor; all children under 16 years of age, unaccompanied by one or both of their parents, at the discretion of the Secretary of Commerce and Labor or under such regulations as he may from time to time prescribe; persons who can not become eligible, under existing law, to become citizens of the United States by naturalization, unless otherwise provided for by existing agreements as to passports, or by treaties, conventions, or agreements that may hereafter be entered into. The provision next foregoing, however, shall not apply to persons of the following status or occupations: Government officers, ministers or religious teachers, missionaries, lawyers, physicians, chemists, engineers, teachers, students, authors, editors, journalists, merchants, bankers, and travelers for curiosity or pleasure nor to their legal wives or their children under 16 years of age who shall accompany them or who subsequently may apply for admission to the United States, but such persons or their legal wives or foreign-born children who fail to maintain in the United States a status or occupation placing them within the excepted classes shall be deemed to be in the United States contrary to law, and shall be subject to deportation as provided in section 19 of this act.

"That after four months from the approval of this act, in addition to the aliens who are by law now excluded from admission into the United States, the following persons shall also be excluded from admission thereto, to wit:

"All aliens over 16 years of age, physically capable of reading, who can not read the English language, or some other language or dialect, including Hebrew or Yiddish: *Provided*, That any admissible alien or any alien heretofore or hereafter legally admitted, or any citizen of the United States, may bring in or send for his father or grandfather over 55 years of age, his wife, his mother, his grandmother, or his unmarried or widowed daughter, if otherwise admissible, whether such relative can read or not; and such relatives shall be permitted to enter. That for the purpose of ascertaining whether aliens can read the immigrant inspectors shall be furnished with slips, of uniform size, prepared under the direction of the Secretary of Commerce and Labor, each containing not less than 30 nor more than 40 words in ordinary use, printed in plainly legible type in the various languages and dialects of immigrants. Each alien may designate the particular language or dialect in which he desires the examination to be made, and shall be required to read the words printed on the slip in such language or dialect. No two aliens coming in the same vessel or other vehicle of carriage or transportation shall be tested with the same slip. That the following classes of persons shall be exempt from the operation of the illiteracy test, to wit: All aliens who shall prove to

the satisfaction of the proper immigration officer or to the Secretary of Commerce and Labor that they are seeking admission to the United States solely for the purpose of escaping from religious persecution; all aliens in transit through the United States; all aliens who have been lawfully admitted to the United States and who later shall go in transit from one part of the United States to another through foreign contiguous territory: *Provided*, That nothing in this act shall exclude, if otherwise admissible, persons convicted of an offense purely political, not involving moral turpitude: *Provided further*, That the provisions of this act relating to the payments for tickets or passage by any corporation, association, society, municipality, or foreign government shall not apply to the tickets or passage of aliens in immediate and continuous transit through the United States to foreign contiguous territory: *Provided further*, That skilled labor, if otherwise admissible, may be imported if labor of like kind unemployed can not be found in this country, and the question of the necessity of importing such skilled labor in any particular instance may be determined by the Secretary of Commerce and Labor upon the application of any person interested, such application to be made before such importation, and such determination by the Secretary of Commerce and Labor to be reached after a full hearing and an investigation into the facts of the case: *Provided further*, That the provisions of this law applicable to contract labor shall not be held to exclude professional actors, artists, lecturers, singers, ministers of any religious denomination, professors for colleges or seminaries, persons belonging to any recognized learned profession, or persons employed strictly as personal or domestic servants: *Provided further*, That whenever the President shall be satisfied that passports issued by any foreign government to its citizens or subjects to go to any country other than the United States or to any insular possession of the United States or to the Canal Zone are being used for the purpose of enabling the holder to come to the continental territory of the United States to the detriment of labor conditions therein, the President shall refuse to permit such citizens or subjects of the country issuing such passports to enter the continental territory of the United States from such other country or from such insular possessions or from the Canal Zone: *Provided further*, That nothing in this act shall be construed to prevent, hinder, or restrict any alien exhibitor, or holder of a concession or privilege for any fair or exposition authorized by act of Congress, from bringing into the United States, under contract, such alien mechanics, artisans, agents, or other employees, natives of his country, as may be necessary for installing or conducting his exhibit or for preparing for installing or conducting any business authorized or permitted under any concession or privilege which may have been or may be granted by any such fair or exposition in connection therewith under such rules and regulations as the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may prescribe both as to the admission and return of such persons: *Provided further*, That nothing in this act shall be construed to apply to accredited officials of foreign governments nor to their suites, families, or guests: *Provided further*, That nothing in this act shall exclude the wife or minor children of a citizen of the United States.

"SEC. 4. That the importation into the United States of any alien for the purpose of prostitution, or for any other immoral purpose, is hereby forbidden; and whoever shall, directly or indirectly, import, or attempt to import, into the United States any alien for the purpose of prostitution or for any other immoral purpose, or shall hold or attempt to hold any alien for any such purpose in pursuance of such illegal importation, or shall keep, maintain, control, support, employ, or harbor in any house or other place, for the purpose of prostitution or for any other immoral purpose, any alien, in pursuance of such illegal importation, shall in every such case be deemed guilty of a felony, and on conviction thereof shall be punished by imprisonment for a term of not more than 10 years and by a fine of not more than \$5,000. Jurisdiction for the trial and punishment of the felonies hereinbefore set forth shall be in any district to or into which said alien is brought in pursuance of said importation by the person or persons accused, or in any district in which a violation of any of the foregoing provisions of this section occur. That any alien who shall, after he has been excluded and deported or arrested and deported in pursuance of the provisions of this act which relate to prostitutes, procurers, or other like immoral persons, attempt thereafter to return to or to enter the United States shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for a term of not more than two years. In all prosecutions under this section the testimony of a husband or wife shall be admissible and competent evidence against a wife or husband.

"SEC. 5. That it shall be unlawful for any person, company, partnership, or corporation, in any manner whatsoever, to prepay the transportation or in any way to induce, assist, encourage, or solicit the importation or migration of any contract laborer or contract laborers into the United States, unless such contract laborer or contract laborers are exempted under the provisions of section 3 of this act, and for every violation of any of the provisions of this section the person, partnership, company, or corporation violating the same shall forfeit and pay for every such offense the sum of \$1,000, which may be sued for and recovered by the United States, or by any person who shall first bring his action therefor in his own name and for his own benefit, including any such aliens thus offered or promised employment as aforesaid, as debts of like amount are now recovered in the courts of the United States; or for every violation of the provisions hereof the person violating the same may be prosecuted in a criminal action for a misdemeanor, and on conviction thereof shall be punished by a fine of \$1,000, or by imprisonment for a term of not less than six months nor more than two years; and under either the civil or the criminal procedure mentioned separate suits or prosecutions may be brought for each alien thus offered or promised employment as aforesaid.

"SEC. 6. That it shall be unlawful and be deemed a violation of section 5 of this act to induce, assist, encourage, or solicit any alien to come into the United States by promise of employment through advertisements printed, published, or distributed in any foreign country, whether such promise is true or false, and either the civil or the criminal penalty imposed by said section shall be applicable to such a case: *Provided*, That States or Territories, the District of Columbia, or places subject to the jurisdiction of the United States may advertise, and by written or oral communication with prospective alien settlers make known, the inducements they offer for immigration thereto, respectively.

"SEC. 7. That it shall be unlawful for any person, association, society, company, partnership, corporation, or others engaged in the business of transporting aliens to the United States, including owners, masters, officers, and agents of vessels, directly or indirectly, by writing, printing, or oral representation, to solicit, invite, or encourage any alien to come into the United States, and anyone violating any provision hereof shall be subject to either the civil or the criminal prosecution prescribed by section 5 of this act; or if it shall appear to the satisfaction of the Secretary of Commerce and Labor that there has been such a violation by an owner, master, officer, or agent of a vessel, such owner, master, officer, or agent shall pay to the collector of customs of the customs district in which the port of arrival is located or in which any vessel of the line may be found the sum of \$400 for each and every such violation; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while the fine imposed remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit with the collector of customs of a sum sufficient to cover such fine: *Provided further*, That whenever it shall be shown to the satisfaction of the Secretary of Commerce and Labor that the provisions of this section are persistently violated by or on behalf of any transportation company, it shall be the duty of said Secretary to deny to such company the privilege of landing alien immigrant passengers of any or all classes at United States ports for such a period as in his judgment may be necessary to insure an observance of such provisions: *Provided further*, That this section shall not be held to prevent transportation companies from issuing letters, circulars, or advertisements, confined strictly to stating the sailings of their vessels and terms and facilities of transportation therein.

"SEC. 8. That any person, including the master, agent, owner, or consignee of any vessel, who shall bring into or land in the United States, by vessel or otherwise, or shall attempt, by himself or through another, to bring into or land in the United States, by vessel or otherwise, or shall conceal or harbor, or attempt to conceal or harbor, or assist or abet another to conceal or harbor in any place, including any building, vessel, railway car, conveyance, or vehicle, any alien not duly admitted by an immigrant inspector or not lawfully entitled to enter or to reside within the United States under the terms of this act shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punished by a fine not exceeding \$1,000, or by imprisonment for a term not exceeding two years, or by both such fine and imprisonment for each and every alien so landed or brought in or attempted to be landed or brought in.

"SEC. 9. That it shall be unlawful for any person, including any transportation company other than railway lines entering

the United States from foreign contiguous territory, or the owner, master, agent, or consignee of any vessel, to bring to the United States any alien afflicted with idiocy, insanity, imbecility, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was afflicted with any of the said diseases or disabilities at the time of foreign embarkation, and that the existence of such disease or disability might have been detected by means of a competent medical examination at such time, such person or transportation company, or the master, agent, owner, or consignee of any such vessel, shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$200 for each and every violation of the provisions of this section. It shall also be unlawful for any such person to bring to any port of the United States any alien afflicted with any mental or physical defect of a nature which may affect his ability to earn a living, as contemplated in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that any alien so brought to the United States was so afflicted at the time of foreign embarkation, and that the existence of such mental or physical defect might have been detected by means of a competent medical examination at such time, such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$25 for each and every violation of this provision. It shall also be unlawful for any such person to bring to any port of the United States any alien who is unable to read or who can not become eligible, under existing law, to become a citizen of the United States by naturalization, as provided in section 3 of this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that these disabilities might have been detected by the exercise of reasonable precaution prior to the departure of such aliens from a foreign port such person shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$100 for each and every violation of this provision. And no vessel shall be granted clearance papers pending the determination of the question of the liability to the payment of such fine, or while the fine remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.

"SEC. 10. That it shall be the mandatory and unqualified duty of every person, including owners, officers, and agents of vessels or transportation lines, other than those lines which may enter into a contract as provided in section 23 of this act, bringing an alien to any seaport or land border port of the United States to prevent the landing of such alien in the United States at any time or place other than as designated by the immigration officers, and the failure of any such owner, officer, or agent to comply with the foregoing requirements shall be deemed a misdemeanor and on conviction thereof shall be punished by a fine in each case of not less than \$100 nor more than \$1,000 or by imprisonment for a term not exceeding one year, or by both such fine and imprisonment; or, if in the opinion of the Secretary of Commerce and Labor it is impracticable or inconvenient to prosecute the owner, master, officer, or agent of any such vessel, a pecuniary penalty of \$1,000 shall be a lien upon the vessel whose owner, master, officer, or agent violates the provisions of this section, and such vessel shall be libeled therefor in the appropriate United States court.

"SEC. 11. That whenever he may deem such action necessary the Secretary of Commerce and Labor may, at the expense of the appropriation for the enforcement of this act, detail immigrant inspectors and matrons of the United States Immigration Service for duty on vessels carrying immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. On such voyages said inspectors and matrons shall remain in that part of the vessel where immigrant passengers are carried. It shall be the duty of such inspectors and matrons to observe such passengers during the voyage, and report to the immigration authorities in charge at the port of landing any information of value in determining the admissibility of such passengers under the laws regulating immigration of aliens into the United States. It shall further be the duty of such inspectors and matrons to observe violations of the provisions of such laws and the violation of such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and report the same to the proper United States officials at ports of landing. Whenever the Secretary of Commerce and Labor so directs, a

surgeon of the United States Public Health Service, detailed to the Immigration Service, not lower in rank than a passed assistant surgeon, shall be received and carried on any vessel transporting immigrant or emigrant passengers, or passengers other than first and second cabin passengers, between ports of the United States and foreign ports. Such surgeon shall be permitted to investigate and examine the condition of all immigrant and emigrant passengers in relation to any provisions of the laws regulating the immigration of aliens into the United States and such provisions of the "passenger act" of August 2, 1882, as amended, as relate to the care and treatment of immigrant passengers at sea, and shall immediately report any violation of said laws to the master or commanding officer of the vessel, and shall also report said violations to the Secretary of Commerce and Labor within 24 hours after the arrival of the vessel at the port of entry in the United States. Such surgeon shall accompany the master or captain of the vessel in his visits to the sanitary officers of the ports of call during the voyage, and, should contagious or infectious diseases prevail at any port where passengers are received, he shall request all reasonable precautionary measures for the health of persons on board. Such surgeon on arrival at ports of the United States shall also, if requested by the examining board, furnish any information he may possess in regard to immigrants arriving on the vessel to which he has been detailed. While on duty such surgeons shall wear the prescribed uniform of their service and shall be provided with first-class accommodations on such vessel at the expense of the appropriation for the enforcement of this act. For every violation of this section any person, including any transportation company, owning or operating the vessel in which such violation occurs shall pay to the collector of customs of the customs district in which the next United States port of arrival is located the sum of \$1,000 for each and every day during which such violation continues, the term "violation" to include the refusal of any person having authority so to do to permit any such immigrant inspector, matron, or surgeon to be received on board such vessel, as provided in this section, and also the refusal of the master or commanding officer of any such vessel to permit the inspections and visits of any such surgeon, as provided in this section, and no vessel shall be granted clearance papers pending the determination of the question of the liability of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of all such questions upon the deposit of a sum sufficient to cover such fine and costs, such sum to be named by the Secretary of Commerce and Labor.

"Sec. 12. That upon the arrival of any alien by water at any point within the United States on the North American Continent from a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or at any port of the said insular possessions from any foreign port, from a port in the United States on the North American Continent, or from a port of another insular possession of the United States, it shall be the duty of the master or commanding officer, owners, or consignees of the steamer, sailing, or other vessel having said alien on board to deliver to the immigration officers at the port of arrival lists or manifests made at the time and place of embarkation of such alien on board such steamer or vessel, which shall, in answer to questions at the top of said list, contain full and accurate information as to each alien as follows: Full name, age, and sex; whether married or single; calling or occupation, personal description (including height, complexion, color of hair and eyes, and marks of identification); whether able to read; nationality; country of birth; race; country of last permanent residence; name and address of the nearest relative in the country from which the alien came; seaport for landing in the United States; final destination, if any, beyond the port of landing; whether having a ticket through to such final destination; by whom passage was paid; whether going to join a relative or friend, and if so, what relative or friend, and his or her name and complete address; whether ever before in the United States, and if so, when and where; whether ever in prison or almshouse or an institution or hospital for the care and treatment of the insane or supported by charity; whether a polygamist; whether an anarchist; whether a person who believes in or advocates the overthrow by force or violence of the Government of the United States or of all forms of law, or who disbelieves in or is opposed to organized government, or who advocates the assassination of public officials, or is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government

of the United States or of any other organized government, because of his or their official character; whether coming by reason of any offer, solicitation, promise, or agreement, express or implied, to perform labor in the United States; the alien's condition of health, mental and physical; whether deformed or crippled, and if so, for how long and from what cause; and such master or commanding officer, owners, or consignees shall also furnish information in relation to the sex, age, class of travel, and the foreign port of embarkation of arriving passengers who are United States citizens. That it shall further be the duty of the master or commanding officer of every vessel taking passengers from any port of the United States on the North American Continent to a foreign port or a port of the Philippine Islands, Guam, Porto Rico, or Hawaii, or from any port of the said insular possessions to any foreign port, to a port of the United States on the North American Continent, or to a port of another insular possession of the United States to file with the immigration officials before departure a list which shall contain full and accurate information in relation to the following matters regarding all alien passengers, and all citizens of the United States or insular possessions of the United States departing with the stated intent to reside permanently in a foreign country, taken on board: Name, age, and sex; whether married or single; calling or occupation; whether able to read; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States or insular possessions thereof; if a citizen of the United States or of the insular possessions thereof, whether native born or naturalized; intended future permanent residence; and time and port of last arrival in the United States, or insular possessions thereof; and such master or commanding officer shall also furnish information in relation to the sex, age, class of travel, and port of debarkation of the United States citizens departing who do not intend to reside permanently in a foreign country, and no master of any such vessel shall be granted clearance papers for his vessel until he has deposited such list or lists with the immigration officials at the port of departure and made oath that they are full and complete as to the name and other information herein required concerning each person of the classes specified taken on board his vessel; and any neglect or omission to comply with the requirements of this section shall be punishable as provided in section 14 of this act: *Provided*, That in the case of vessels making regular trips to ports of the United States the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may, when expedient, arrange for the delivery of such lists of outgoing aliens at a later date: *Provided further*, That it shall be the duty of immigration officials to record the following information regarding every resident alien and citizen leaving the United States by way of the Canadian or Mexican borders for permanent residence in a foreign country: Name, age, and sex; whether married or single; calling or occupation; whether able to read; nationality; country of birth; country of which citizen or subject; race; last permanent residence in the United States; intended future permanent residence; and time and port of last arrival in the United States; and if a United States citizen, whether native born or naturalized.

"Sec. 13. That all aliens arriving by water at the ports of the United States shall be listed in convenient groups, the names of those coming from the same locality to be assembled, so far as practicable, and no one list or manifest shall contain more than 30 names. To each alien or head of a family shall be given a ticket on which shall be written his name, a number or letter designating the list in which his name, and so forth, is contained, and his number on said list, for convenience of identification on arrival. Each list or manifest shall be verified by the signature and the oath or affirmation of the master or commanding officer, or the first or second below him in command, taken before an immigration officer at the port of arrival, to the effect that he has caused the surgeon of said vessel sailing therewith to make a physical and oral examination of each of said aliens, and that from the report of said surgeon and from his own investigation he believes that no one of said aliens is of any of the classes excluded from admission into the United States by section 3 of this act, and that also according to the best of his knowledge and belief, the information in said lists or manifests concerning each of said aliens named therein is correct and true in every respect. That the surgeon of said vessel sailing therewith shall also sign each of said lists or manifests and make oath or affirmation in like manner before an immigration officer at the port of arrival, stating his professional experience and qualifications as a physician and surgeon, and that he has made a personal examination of each of the said aliens named therein, and that the said list or manifest, according to the best of his knowledge and belief, is full, correct, and true in all particulars

relative to the mental and physical condition of said aliens. If no surgeon sails with any vessel bringing aliens the mental and physical examinations and the verifications of the lists or manifests shall be made by some competent surgeon employed by the owners of the said vessels, and the manifests shall be verified by such surgeon before a United States consular officer.

"SEC. 14. That it shall be unlawful for the master or commanding officer of any vessel bringing aliens into or carrying aliens out of the United States to refuse or fail to deliver to the immigration officials the accurate and full manifests or statements or information regarding all aliens on board or taken on board such vessel required by this act, and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that there has been such a refusal or failure, or that the lists delivered are not accurate and full, such master or commanding officer shall pay to the collector of customs at the port of arrival or departure the sum of \$10 for each alien concerning whom such accurate and full manifest or statement or information is not furnished, or concerning whom the manifest or statement or information is not prepared and sworn to as prescribed by this act. No vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, or while it remains unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a sum sufficient to cover such fine.

"SEC. 15. That upon the arrival at a port of the United States of any vessel bringing aliens it shall be the duty of the proper immigration officials to go or to send competent assistants to the vessel and there inspect all such aliens, or said immigration officials may order a temporary removal of such aliens for examination at a designated time and place, but such temporary removal shall not be considered a landing, nor shall it relieve the transportation lines, masters, agents, owners, or consignees of the vessel upon which said aliens are brought to any port of the United States from any of the obligations which, in case such aliens remain on board, would, under the provisions of this act bind the said transportation lines, masters, agents, owners, or consignees: *Provided*, That where removal is made to premises owned or controlled by the United States, said transportation lines, masters, agents, owners, or consignees, and each of them shall, so long as detention there lasts, be relieved of responsibility for the safekeeping of such aliens. Whenever a temporary removal of aliens is made the transportation lines which brought them and the masters, owners, agents, and consignees of the vessel upon which they arrive shall pay all expenses of such removal and all expenses arising during subsequent detention, pending decision on the aliens' eligibility to enter the United States and until they are either allowed to land or returned to the care of the line or to the vessel which brought them, such expenses to include those of maintenance, medical treatment in hospital or elsewhere, burial in the event of death, and transfer to the vessel in the event of deportation, excepting only where they arise under the terms of any of the provisions of section 18 thereof. Any refusal or failure to comply with the provisions hereof to be punished in the manner specified in section 18 of this act.

"SEC. 16. That the physical and mental examination of all arriving aliens shall be made by medical officers of the United States Public Health Service who shall have had at least two years' experience in the practice of their profession since receiving the degree of doctor of medicine, and who shall certify, for the information of the immigration officers and the boards of special inquiry hereinafter provided for, any and all physical and mental defects or diseases observed by said medical officers in any such alien; or, should medical officers of the United States Public Health Service be not available, civil surgeons of not less than four years' professional experience may be employed in such emergency for such service, upon such terms as may be prescribed by the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor. Medical officers of the United States Public Health Service who have had especial training in the diagnosis of insanity and mental defect shall be detailed for duty or employed at all large ports of entry, and such medical officers shall be provided with suitable facilities for the detention and examination of all arriving aliens in whom insanity or mental defect is suspected, and the services of interpreters shall be provided for such examination. That the inspection, other than the physical and mental examination, of aliens, including those seeking admission or readmission to or the privilege of passing through or residing in the United States, and the examination of aliens arrested within the United States under this act, shall be conducted by immigrant inspectors, except as hereinafter provided in regard to boards of special in-

quiry. Immigrant inspectors are hereby authorized and empowered to board and search for aliens any vessel, railway car, conveyance, or vehicle in which they believe aliens are being brought into the United States. Said inspectors shall have power to administer oaths and to take and consider evidence touching the right of any alien to enter, reenter, pass through, or reside in the United States, and, where such action may be necessary, to make a written record of such evidence; and any person to whom such an oath has been administered, under the provisions of this act, who shall knowingly or willfully give false evidence or swear to any false statement in any way affecting or in relation to the right of any alien to admission, or readmission to, or to pass through, or to reside in the United States shall be deemed guilty of perjury and be punished as provided by section 125 of the act approved March 4, 1909, entitled 'An act to codify, revise, and amend the penal laws of the United States.' Any commissioner of immigration or inspector in charge shall also have power to require the attendance and testimony of witnesses before said inspectors and the production of books, papers, and documents touching the right of any alien to enter, reenter, reside in, or pass through the United States, and to that end may invoke the aid of any court of the United States; and any district court within the jurisdiction of which investigations are being conducted by an immigrant inspector may, in the event of neglect or refusal to respond to a subpoena issued by any commissioner of immigration or inspector in charge or refusal to testify before said immigrant inspector, issue an order requiring such person to appear before said immigrant inspector, produce books, papers, and documents if demanded, and testify; and any failure to obey such order of the court shall be punished by the court as a contempt thereof. That any person, including employees, officials, or agents of transportation companies, who shall assault, resist, prevent, impede, or interfere with any immigration official or employee in the performance of his duty under this act shall be deemed guilty of a misdemeanor, and on conviction thereof shall be punished by imprisonment for a term of not less than six months nor more than two years, or by a fine of not less than \$200 nor more than \$2,000; and any person who shall use any deadly or dangerous weapon in resisting any immigration official or employee in the performance of his duty shall be deemed guilty of a felony and shall on conviction thereof be punished by imprisonment for not less than 1 nor more than 10 years. Every alien who may not appear to the examining immigrant inspector at the port of arrival to be clearly and beyond a doubt entitled to land shall be detained for examination in relation thereto by a board of special inquiry. In the event of rejection by the board of special inquiry, in all cases where an appeal to the Secretary of Commerce and Labor is permitted by this act, the alien shall be so informed and shall have the right to be represented by counsel or other advisor on such appeal. The decision of an immigrant inspector, if favorable to the admission of any alien, shall be subject to challenge by any other immigrant inspector, and such challenge shall operate to take the alien whose right to land is so challenged before a board of special inquiry for its investigation.

"SEC. 17. That boards of special inquiry shall be appointed by the Commissioner of Immigration or inspector in charge at the various ports of arrival as may be necessary for the prompt determination of all cases of immigrants detained at such ports under the provisions of the law. Each board shall consist of three members, who shall be selected from such of the immigrant officials in the service as the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, shall from time to time designate as qualified to serve on such boards. When in the opinion of the Secretary of Commerce and Labor the maintenance of a permanent board of special inquiry for service at any sea or land border port is not warranted, regularly constituted boards may be detailed from other stations for temporary service at such port, or, if that be impracticable, the Secretary of Commerce and Labor shall authorize the creation of boards of special inquiry by the immigration officials in charge at such ports, and shall determine what Government officials or other persons shall be eligible for service on such boards. Such boards shall have authority to determine whether an alien who has been duly held shall be allowed to land or shall be deported. All hearings before such boards shall be separate and apart from the public. Such boards shall keep a complete permanent record of their proceedings and of all such testimony as may be produced before them; and the decision of any two members of a board shall prevail, but either the alien or any dissenting member of the said board may appeal through the commissioner of immigration at the port of arrival and the Commissioner General of Immigration to the Secretary of Commerce and Labor, and the taking of such appeal shall operate

to stay any action in regard to the final disposal of any alien whose case is so appealed until the receipt by the commissioner of immigration at the port of arrival of such decision, which shall be rendered solely upon the evidence adduced before the board of special inquiry. In every case where an alien is excluded from admission into the United States, under any law or treaty now existing or hereafter made, the decision of a board of special inquiry if adverse to the admission of such alien shall be final, unless reversed on appeal to the Secretary of Commerce and Labor: *Provided*, That the decision of a board of special inquiry, based upon the certificate of the examining medical officer, shall be final as to the rejection of aliens affected with tuberculosis in any form or with a loathsome or dangerous contagious disease, or with any mental or physical disability which would bring such aliens within any of the classes excluded from admission to the United States under section 3 of this act.

"Sec. 18. That all aliens brought to this country in violation of law shall, if practicable, be immediately sent back, in accommodations of the same class in which they arrived, to the country whence they respectively came on the vessels bringing them. The cost of their maintenance while on land, as well as the expense of the return of such aliens, shall be borne by the owner or owners of the vessels on which they respectively came. That it shall be unlawful for any master, purser, person in charge, agent, owner, or consignee of any such vessel to refuse to receive back on board thereof, or on board of any other vessel owned or operated by the same interests, such aliens; or to fail to detain them thereon; or to refuse or fail to return them in the manner aforesaid to the foreign port from which they came; or to pay the cost of their maintenance while on land; or to make any charge for the return of any such alien; or to take any security from him for the payment of such charge; or to take any consideration to be returned in case the alien is landed; or knowingly to bring to the United States at any time within one year from the date of deportation any alien rejected or arrested and deported under any provision of this act, unless prior to reembarkation the Secretary of Commerce and Labor has consented that such alien shall reapply for admission, as required by section 3 hereof; and if it shall appear to the satisfaction of the Secretary of Commerce and Labor that such master, purser, person in charge, agent, owner, or consignee has violated any of the foregoing provisions such master, purser, person in charge, agent, owner, or consignee shall pay to the collector of customs of the customs district in which the port of arrival is located, or in which any vessel of the line may be found, the sum of \$300 for each and every violation of any provision of this section; and no vessel shall have clearance from any port of the United States while any such fine is unpaid, nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit with the collector of customs of a sum sufficient to cover such fine. If the vessel by which any alien ordered deported came has left the United States and it is impracticable for any reason to deport the alien within a reasonable time by another vessel owned by the same interests, the cost of deportation may be paid by the Government and recovered by civil suit from any agent, owner, or consignee of the vessel: *Provided further*, That the Commissioner General of Immigration, with the approval of the Secretary of Commerce and Labor, may suspend, upon conditions to be prescribed by the Commissioner General of Immigration, the deportation of any alien found to have come in violation of any provision of this act if, in his judgment, the testimony of such alien is necessary on behalf of the United States Government in the prosecution of offenders against any provision of this act; and the cost of maintenance of any person so detained resulting from such suspension of deportation, and a witness fee in the sum of \$1 per day for each day such person is so detained, may be paid from the appropriation for the enforcement of this act, or such alien may be released under bond, in the penalty of not less than \$500, with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required as a witness and for deportation. No alien certified, as provided in section 16 of this act, to be suffering from tuberculosis in any form, or from a loathsome or dangerous contagious disease other than one of quarantinable nature, shall be permitted to land for medical treatment thereof in any hospital in the United States, unless with the express permission of the Secretary of Commerce and Labor: *Provided further*, That upon the certificate of a medical officer of the United States Public Health Service to the effect that the health or safety of an insane alien would be unduly imperiled by immediate deportation, such alien may, at the expense of the appropriation for the enforcement of this act, be held for treatment until such time as such alien may, in the opinion of such medi-

cal officer, be safely deported: *Provided further*, That upon the certificate of a medical officer of the United States Public Health Service to the effect that a rejected alien is helpless from sickness, mental or physical disability, or infancy, if such alien is accompanied by another alien whose protection or guardianship is required by such rejected alien, such accompanying alien may also be excluded, and the master, agent, owner, or consignee of the vessel in which such alien and accompanying alien are brought shall be required to return said alien and accompanying alien in the same manner as vessels are required to return other rejected aliens.

"Sec. 19. That any alien, at any time within three years after entry, who shall enter the United States in violation of law; any alien who within three years after entry becomes a public charge from causes existing prior to the landing; except as hereinafter provided, any alien who is hereafter sentenced to imprisonment for a term of one year or more because of conviction in this country of a crime involving moral turpitude, committed within three years after the entry of the alien to the United States; any alien who shall be found an inmate of or connected with the management of a house of prostitution or practicing prostitution after such alien shall have entered the United States, or who shall receive, share in, or derive benefit from any part of the earnings of any prostitute; any alien who is employed by, in, or in connection with any house of prostitution or music or dance hall or other place of amusement or resort habitually frequented by prostitutes, or where prostitutes gather, or who in any way assists, protects, or promises to protect from arrest any prostitute; any alien who shall import or attempt to import any person for the purpose of prostitution or for any other immoral purpose; any alien who, after being excluded and deported or arrested and deported as a prostitute, or as a procurer, or as having been connected with the business of prostitution or importation for prostitution, or other immoral purposes in any of the ways hereinbefore specified, shall return to and enter the United States; any alien convicted and imprisoned for a violation of any of the provisions of section 4 hereof; any alien, at any time within three years after entry, who shall enter the United States by water at any time or place other than as designated by immigration officials, or by land at any place other than one designated as a port of entry for aliens by the Commissioner General of Immigration, or at any time not designated by immigration officials, shall, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and deported: *Provided*, That the provision of this section respecting the deportation of aliens convicted of a crime involving moral turpitude shall not apply to one who has been pardoned, nor shall such deportation be made or directed if the court sentencing such alien for such crime shall, at the time of imposing judgment or passing sentence, make a recommendation to the Secretary of Commerce and Labor that such alien shall not be deported in pursuance of this act; nor shall any alien convicted as aforesaid be deported until after the termination of his imprisonment: *Provided further*, That the provisions of this section, with the exceptions hereinbefore noted, shall be applicable to the classes of aliens therein mentioned irrespective of the time of their entry into the United States. In every case where any person is ordered deported from the United States under the provisions of this act or of any law or treaty now existing, the decision of the Secretary of Commerce and Labor shall be final.

"Sec. 20. That the deportation of aliens provided for in this act shall, at the option of the Secretary of Commerce and Labor, be to the country whence they came or to the foreign port at which such aliens embarked for the United States; or, if such embarkation was for foreign contiguous territory, to the foreign port at which they embarked for such territory; or, if such aliens entered foreign contiguous territory from the United States and later entered the United States, or if such aliens are held by the country from which they entered the United States not to be subjects or citizens of such country, and such country refuses to permit their reentry, or imposes any condition upon permitting reentry, then to the country of which such aliens are subjects or citizens, or to the country in which they resided prior to entering the country from which they entered the United States. If effected at any time within five years after the entry of the alien, such deportation, including one-half of the entire cost of removal to the port of deportation, shall be at the expense of the contractor, procurer, or other person by whom the alien was unlawfully induced to enter the United States, or, if that can not be done, then the cost of removal to the port of deportation shall be at the expense of the appropriation for the enforcement of this act, and the deportation from such port shall be at the expense of the owner or owners of such

vessels or transportation line by which such aliens respectively came, or, if that is not practicable, at the expense of the appropriation for the enforcement of this act. If such deportation is effected later than five years after the entry of the alien, or, if the deportation is made by reason of causes arising subsequent to entry, the cost thereof shall be payable from the appropriation for the enforcement of this act. A failure or refusal on the part of the masters, agents, owners, or consignees of vessels to comply with the order of the Secretary of Commerce and Labor to take on board, guard safely, and transport to the destination specified any alien ordered to be deported under the provisions of this act shall be punished by the imposition of the penalties prescribed in section 18 of this act: *Provided*, That when in the opinion of the Secretary of Commerce and Labor the mental or physical condition of such alien is such as to require personal care and attendance, he may employ a suitable person for that purpose, who shall accompany such alien to his or her final destination, and the expense incident to such service shall be defrayed in like manner. Pending the final disposal of the case of any alien so taken into custody he may be released under a bond in the penalty of not less than \$500 with security approved by the Secretary of Commerce and Labor, conditioned that such alien shall be produced when required for a hearing or hearings in regard to the charge upon which he has been taken into custody, and for deportation if he shall be found to be unlawfully within the United States.

"Sec. 21. That any alien liable to be excluded because likely to become a public charge or because of physical disability other than tuberculosis in any form or a loathsome or dangerous contagious disease may, if otherwise admissible, nevertheless be admitted in the discretion of the Secretary of Commerce and Labor upon the giving of a suitable and proper bond or undertaking, approved by said Secretary, in such amount and containing such conditions as he may prescribe, to the United States and to all States, Territories, counties, towns, municipalities, and districts thereof, holding the United States and all States, Territories, counties, towns, municipalities, and districts thereof harmless against such alien becoming a public charge. The admission of such alien shall be a consideration for the giving of such bond or undertaking. Suit may be brought thereon in the name and by the proper law officers either of the United States Government or of any State, Territory, district, county, town, or municipality in which such alien becomes a public charge.

"Sec. 22. That wherever an alien shall have taken up his permanent residence in this country, and shall have filed his declaration of intention to become a citizen, and thereafter shall send for his wife or minor children to join him, if said wife or any of said children shall be found to be affected with any contagious disorder, such wife or children shall be held, under such regulations as the Secretary of Commerce and Labor shall prescribe, until it shall be determined whether the disorder will be easily curable or whether they can be permitted to land without danger to other persons; and they shall not be either admitted or deported until such facts have been ascertained; and if it shall be determined that the disorder is easily curable and the husband or father or other responsible person is willing to bear the expense of the treatment, they may be accorded treatment in hospital until cured and then be admitted, or if it shall be determined that they can be permitted to land without danger to other persons, they may, if otherwise admissible, thereupon be admitted.

"Sec. 23. That the Commissioner General of Immigration shall perform all his duties under the direction of the Secretary of Commerce and Labor. Under such direction he shall have charge of the administration of all laws relating to the immigration of aliens into the United States, and shall have the control, direction, and supervision of all officers, clerks, and employees appointed thereunder; he shall establish such rules and regulations, prescribe such forms of bond, reports, entries, and other papers, and shall issue from time to time such instructions, not inconsistent with law, as he shall deem best calculated for carrying out the provisions of this act and for protecting the United States and aliens migrating thereto from fraud and loss, and shall have authority to enter into contract for the support and relief of such aliens as may fall into distress or need public aid, and to remove to their native country, at any time within three years after entry, at the expense of the appropriations for the enforcement of this act, such as fall into distress or need public aid from causes arising subsequent to their entry and are desirous of being so removed; he shall prescribe rules for the entry and inspection of aliens along the borders of Canada and Mexico, so as not to unnecessarily delay, impede, or annoy persons in ordinary travel between the United States and said

countries, and shall have power to enter into contracts with transportation lines for the said purpose; it shall be the duty of the Commissioner General of Immigration to detail officers of the Immigration Service from time to time as may be necessary, in his judgment, to secure information as to the number of aliens detained in the penal, reformatory, and charitable institutions (public and private) of the several States and Territories, the District of Columbia, and other territory of the United States and to inform the officers of such institutions of the provisions of law in relation to the deportation of aliens who have become public charges. He may, with the approval of the Secretary of Commerce and Labor, whenever in his judgment such action may be necessary to accomplish the purposes of this act, detail immigration officers, and also surgeons of the United States Public Health Service employed under this act for service in foreign countries. The duties of commissioners of immigration and other immigration officials in charge of districts, ports, or stations shall be of an administrative character, to be prescribed in detail by regulations prepared under the direction or with the approval of the Secretary of Commerce and Labor: *Provided*, That for the purpose of making effective the provisions of this section relating to the protection of aliens from fraud and loss, and also the provisions of section 30 of this act, relating to the distribution of aliens, the Secretary of Commerce and Labor shall establish and maintain immigrant stations at such interior places as may be necessary, and, in the discretion of the said Secretary, aliens in transit from ports of landing to such interior stations shall be accompanied by immigrant inspectors.

"Sec. 24. That immigrant inspectors and other immigration officers, clerks, and employees shall hereafter be appointed and their compensation fixed and raised or decreased from time to time by the Secretary of Commerce and Labor, upon the recommendation of the Commissioner General of Immigration and in accordance with the provisions of the civil-service act of January 16, 1883: *Provided*, That said Secretary, in the enforcement of that portion of this act which excludes contract laborers, may employ, without reference to the provisions of the said civil-service act or to the various acts relative to the compilation of the official register, such persons as he may deem advisable and from time to time fix, raise, or decrease their compensation. He may draw annually from the appropriation for the enforcement of this act \$50,000, or as much thereof as may be necessary, to be expended for the salaries and expenses of persons so employed and for expenses incident to such employment; and the accounting officers of the Treasury shall pass to the credit of the proper disbursing officer expenditures from said sum without itemized account whenever the Secretary of Commerce and Labor certifies that an itemized account would not be for the best interests of the Government: *Provided further*, That nothing herein contained shall be construed to alter the mode of appointing commissioners of immigration at the several ports of the United States as provided by the sundry civil appropriation act approved August 18, 1894, or the official status of such commissioners heretofore appointed.

"Sec. 25. That the district courts of the United States are hereby invested with full and concurrent jurisdiction of all causes, civil and criminal, arising under any of the provisions of this act. That it shall be the duty of the United States district attorney of the proper district to prosecute every such writ when brought by the United States under this act. Such prosecutions or suits may be instituted at any place in the United States at which the violation may occur or at which the person charged with such violation may be found. That no suit or proceeding for a violation of the provisions of this act shall be settled, compromised, or discontinued without the consent of the court in which it is pending, entered of record, with the reasons therefor.

"Sec. 26. That all exclusive privileges of exchanging money, transporting passengers or baggage, or keeping eating houses, and all other like privileges in connection with any United States immigrant station shall be disposed of after public competition, subject to such conditions and limitations as the Commissioner General of Immigration, under the direction or with the approval of the Secretary of Commerce and Labor, may prescribe, and all receipts accruing from the disposal of such exclusive privileges shall be paid into the Treasury of the United States. No intoxicating liquors shall be sold at any such immigrant station.

"Sec. 27. That for the preservation of the peace and in order that arrests may be made for crimes under the laws of the States and Territories of the United States where the various immigrant stations are located, the officers in charge of such stations, as occasion may require, shall admit therein the proper State and municipal officers charged with the enforcement of

such laws, and for the purpose of this section the jurisdiction of such officers and of the local courts shall extend over such stations.

"Sec. 28. That any person who knowingly aids or assists any anarchist or any person who believes in or advocates the overthrow by force or violence of the Government of the United States, or who disbelieves in or is opposed to organized government, or all forms of law, or who advocates the assassination of public officials, or who is a member of or affiliated with any organization entertaining and teaching disbelief in or opposition to organized government, or who advocates or teaches the duty, necessity, or propriety of the unlawful assaulting or killing of any officer or officers, either of specific individuals or of officers generally, of the Government of the United States or of any other organized government, because of his or their official character, to enter the United States, or who connives or conspires with any person or persons to allow, procure, or permit any such anarchist or person aforesaid to enter therein shall be deemed guilty of a felony, and on conviction thereof shall be punished by a fine or not more than \$5,000 or by imprisonment for not more than five years, or both.

"Sec. 29. That the President of the United States is authorized, in the name of the Government of the United States, to call, in his discretion, an international conference, to assemble at such point as may be agreed upon, or to send special commissioners to any foreign country, for the purpose of regulating by international agreement, subject to the advice and consent of the Senate of the United States, the immigration of aliens to the United States; of providing for the mental, moral, and physical examination of such aliens by American consuls or other officers of the United States Government at the ports of embarkation, or elsewhere; of securing the assistance of foreign Governments in their own territories to prevent the evasion of the laws of the United States governing immigration to the United States; of entering into such international agreements as may be proper to prevent the immigration of aliens who, under the laws of the United States, are or may be excluded from entering the United States, and of regulating any matters pertaining to such immigration.

"Sec. 30. That there shall be maintained a division of information in the Bureau of Immigration and Naturalization; and the Secretary of Commerce and Labor shall provide such clerical and other assistance as may be necessary. It shall be the duty of said division to promote a beneficial distribution of aliens admitted into the United States among the several States and Territories desiring immigration. Correspondence shall be had with the proper officials of the States and Territories, and said division shall gather from all available sources useful information regarding the resources, products, and physical characteristics of each State and Territory, and shall publish such information in different languages and distribute the publications among all admitted aliens at the immigrant stations of the United States and to such other persons as may desire the same. When any State or Territory appoints and maintains an agent or agents to represent it at any of the immigrant stations of the United States, such agents shall, under regulations prescribed by the Commissioner General of Immigration, subject to the approval of the Secretary of Commerce and Labor, have access to aliens who have been admitted to the United States for the purpose of presenting, either orally or in writing, the special inducements offered by such State or Territory to aliens to settle therein. While on duty at any immigrant station such agents shall be subject to all the regulations prescribed by the Commissioner General of Immigration, who, with the approval of the Secretary of Commerce and Labor, may, for violation of any such regulations, deny to the agent guilty of such violation any of the privileges herein granted.

"Sec. 31. That any person, including the owner, agent, consignee, or master of any vessel arriving in the United States from any foreign port or place, who shall knowingly sign on the ship's articles, or bring to the United States as one of the crew of such vessel, any alien, with intent to permit such alien to land in the United States in violation of the laws and treaties of the United States regulating the immigration of aliens, or who shall falsely and knowingly represent to the immigration authorities at the port of arrival that any such alien is a bona fide member of the crew, shall be liable to a penalty not exceeding \$5,000, for which sum the said vessel shall be liable and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

"Sec. 32. That no alien excluded from admission into the United States by any law or treaty of the United States regulating the immigration of aliens, and employed on board any vessel arriving in the United States from any foreign port or

place, shall be permitted to land in the United States, except temporarily for medical treatment, or pursuant to regulations prescribed by the Secretary of Commerce and Labor providing for the ultimate removal or deportation of such alien from the United States, and the negligent failure of the owner, agent, consignee, or master of such vessel to detain on board any such alien after notice in writing by the immigration officer in charge at the port of arrival, and to deport such alien, if required by such immigration officer or by the Secretary of Commerce and Labor, shall render such owner, agent, consignee, or master liable to a penalty not exceeding \$1,000, for which sum the said vessel shall be liable, and may be seized and proceeded against by way of libel in any district court of the United States having jurisdiction of the offense.

"Sec. 33. That it shall be unlawful and be deemed a violation of the preceding section to pay off or discharge any alien employed on board any vessel arriving in the United States from any foreign port or place, unless duly admitted pursuant to the laws and treaties of the United States regulating the immigration of aliens: *Provided*, That in case any such alien intends to reship on board any other vessel bound to any foreign port or place he shall be allowed to land for the purpose of so reshipping, and may be paid off, discharged, and permitted to remove his effects, anything in such laws or treaties or in this act to the contrary notwithstanding, provided due notice of such proposed action first be given to the principal immigration officer in charge at the port of arrival.

"Sec. 34. That any alien seaman who shall desert his vessel in a port of the United States or who shall land therein contrary to the provisions of this act shall be deemed to be unlawfully in the United States and shall, at any time within three years thereafter, upon the warrant of the Secretary of Commerce and Labor, be taken into custody and brought before a board of special inquiry for examination as to his qualifications for admission to the United States, and if not admitted said alien seaman shall be deported at the expense of the appropriation for this act as provided in section 20 of this act.

"Sec. 35. That it shall be unlawful for any vessel carrying passengers between a port of the United States and a port of a foreign country, upon arrival in the United States, to have on board employed thereon any alien afflicted with idiocy, imbecility, insanity, epilepsy, tuberculosis in any form, or a loathsome or dangerous contagious disease, if it appears to the satisfaction of the Secretary of Commerce and Labor, from an examination made by a medical officer of the United States Public Health Service, and is so certified by such officer, that any such alien was so afflicted at the time he was shipped or engaged and taken on board such vessel and that the existence of such affliction might have been detected by means of a competent medical examination at such time; and for every such alien so afflicted on board any such vessel at the time of arrival the owner, agent, consignee, or master thereof shall pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$25; and no vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine and while it remains unpaid: *Provided*, That clearance may be granted prior to the determination of such question upon the deposit of a sum sufficient to cover such fine: *Provided further*, That such fine may, in the discretion of the Secretary of Commerce and Labor, be mitigated or remitted.

"Sec. 36. That upon arrival of any vessel in the United States from any foreign port or place it shall be the duty of the owner, agent, consignee, or master thereof to deliver to the principal immigration officer in charge of the port of arrival lists containing the names of all aliens employed on such vessel, stating the positions they respectively hold in the ship's company, when and where they were respectively shipped or engaged, and specifying those to be paid off and discharged in the port of arrival; or lists containing so much of such information as the Secretary of Commerce and Labor shall by regulation prescribe; and after the arrival of any such vessel it shall be the duty of such owner, agent, consignee, or master to report to such immigration officer, in writing, as soon as discovered, all cases in which any such alien has deserted the vessel, giving a description of such alien, together with any information likely to lead to his apprehension; and before the departure of any such vessel it shall be the duty of such owner, agent, consignee, or master to deliver to such immigration officer a further list containing the names of all alien employees who were not employed thereon at the time of the arrival, but who will leave port thereon at the time of her departure, and also the names of those, if any, who have been paid off and discharged, and of those, if any, who have deserted or landed or been duly admitted; and in case of the failure of such owner, agent, consignee, or master so to deliver either of the said lists of such aliens arriving and departing, respectively, or so to report such

cases of desertion or landing, such owner, agent, consignee, or master shall, if required by the Secretary of Commerce and Labor, pay to the collector of customs of the customs district in which the port of arrival is located the sum of \$10 for each alien concerning whom correct lists are not delivered or a true report is not made, as above required; and no such vessel shall be granted clearance pending the determination of the question of the liability to the payment of such fine, and, in the event such fine is imposed, while it remains unpaid; nor shall such fine be remitted or refunded: *Provided*, That clearance may be granted prior to the determination of such question upon deposit of a sum sufficient to cover such fine.

"Sec. 37. The word 'person' as used in this act shall be construed to import both the plural and the singular, as the case may be, and shall include corporations, companies, and associations. When construing and enforcing the provisions of this act, the act, omission, or failure of any director, officer, agent, or employee of any corporation, company, or association acting within the scope of his employment or office shall in every case be deemed to be the act, omission, or failure of such corporation, company, or association, as well as that of the person acting for or in behalf of such corporation, company, or association.

"Sec. 38. That this act, except as otherwise provided in section 3, shall take effect and be enforced from and after July 1, 1913. The act of March 26, 1910, amending the act of February 20, 1907, to regulate the immigration of aliens into the United States; the act of February 20, 1907, to regulate the immigration of aliens into the United States, except section 34 thereof; the act of March 3, 1903, to regulate the immigration of aliens into the United States, except section 34 thereof; and all other acts and parts of acts inconsistent with this act are hereby repealed on and after the taking effect of this act: *Provided*, That this act shall not be construed to repeal, alter, or amend existing laws relating to the immigration or exclusion of Chinese persons or persons of Chinese descent, nor to repeal, alter, or amend section 6, chapter 453, third session Fifty-eighth Congress, approved February 6, 1905, or the act approved August 2, 1882, entitled 'An act to regulate the carriage of passengers by sea,' and amendments thereto: *Provided*, That nothing contained in this act shall be construed to affect any prosecution, suit, action, or proceedings brought, or any act, thing, or matter, civil or criminal, done or existing at the time of the taking effect of this act, except as mentioned in the last proviso of section 19 hereof; but as to all such prosecutions, suits, actions, proceedings, acts, things, or matters, the laws or parts of laws repealed or amended by this act are hereby continued in force and effect."

H. C. LODGE,

WM. P. DILLINGHAM,

Managers on the part of the Senate.

JOHN L. BURNETT,

AUGUSTUS P. GARDNER,

Managers on the part of the House.

Mr. LODGE. Mr. President, as several Senators interested in the bill are absent, and the Senate is so thin, I desire to give notice that I shall call up the conference report for consideration on Monday, immediately after the routine morning business.

Mr. GALLINGER. Mr. President, this is a bill of great public interest and concern, and I will ask the Senator in a word to state the salient changes proposed to be made in the existing law.

Mr. LODGE. I am very happy to comply with the suggestion of the Senator from New Hampshire. The Senate disagreed to the entire House amendment. The House struck out the whole bill which passed the Senate and inserted an illiteracy test of their own. The House illiteracy test consisted of reading alone, while the Senate test provided both reading and writing. I read from the statement of the action of the conference committee:

The Senate having disagreed to the entire House amendment, which in its turn had stricken out the entire Senate bill, the whole subject of immigration came before the conference committee.

The bill as it passed the House contained no features except the illiteracy test. The Senate bill contemplated many changes in the law and an illiteracy test substantially similar to that proposed in the House, the principal difference being that the Senate included "writing" in its test and differed somewhat from the House as to the admissibility of illiterate relatives of qualified immigrants. On all substantial matters of difference between the Senate and the House touching the illiteracy test the Senate receded.

We accepted the House illiteracy test, which was based on reading alone. In other respects, as to the exceptions and the methods of enforcing the test, the Senate provision and the House provision were the same.

The principal changes in existing law proposed by the Senate to which the managers on the part of the House agreed are as follows:

First. An increase of the head tax from \$4 to \$5 per alien.

The Senate, it will be remembered, increased the head tax from \$4 to \$5, and the House accepted that proposed change in existing law.

Second. The exclusion of aliens not eligible for naturalization.

I will say that the conferees also agreed to strike out all the provisions in the bill relating to the Chinese, so as to leave the subject of Chinese immigration under the law exactly as it exists now, with no change. The repealing clauses and all relating to that subject were stricken out. The conferees decided that it was better to leave the Chinese-exclusion law and the situation of Chinese in the United States precisely as they are to-day.

Third. Making it permissible for the Secretary of Commerce and Labor to decide beforehand as to the necessity of importing such skilled contract labor as is now admissible under the existing contract-labor law.

Fourth. Providing more severe penalties for transportation lines which violate the law against advertising for immigrants and which bring to the United States aliens who are ineligible to enter.

Senators will understand that I am reading now the provisions of the Senate bill which have been agreed to by the House.

Fifth. Providing for matrons, inspectors, and surgeons on immigrant ships at the discretion of the Secretary of Commerce and Labor.

Sixth. Providing machinery for compelling the attendance and testimony of witnesses before the immigration authorities when required.

Seventh. Providing for the deportation of aliens who become criminals within three years subsequent to entry.

Eighth. Providing for interior immigrant stations.

Ninth. Providing against the illegal entry of seamen and stowaways.

Tenth. Permitting aliens to be represented by counsel in the case of appeals from the decisions of boards of special inquiry.

Eleventh. Providing experts in insanity at large ports of entry.

Twelfth. A definition of the meaning of the word "alien" where it appears in the bill.

Thirteenth. A provision was added in conference requiring the production of penal certificates in certain cases for the purpose of facilitating the execution of that part of the Senate bill and of the present law which relates to the exclusion of criminals.

I have touched on all the salient points, I think, but, in a general way, it may be said that the House took, with very few modifications, and those chiefly in details, the Senate revision of the existing law as it passed the Senate, and the Senate accepted the House illiteracy test, which is confined to reading alone. I believe the bill to be an extremely good one, especially in its administrative features.

Mr. SIMMONS. Mr. President, I did not understand the Senator's explanation as to the provision of the bill with reference to—

The PRESIDING OFFICER. Does the Senator from Massachusetts yield to the Senator from North Carolina?

Mr. LODGE. Certainly; I yield.

Mr. SIMMONS. I did not understand the Senator's statement with reference to the provision as to contract labor.

Mr. LODGE. The law now provides, and has for many years provided, that in a case where skilled labor was required in a new industry, for instance, and could not be found in the United States, it could be imported and could remain in the country, if approved by the Secretary of Commerce and Labor. It is not a case that occurs very often. Now and then some new industry is started and mechanics capable of doing the work are not to be found in our country, but have to be brought from abroad in order to teach others. In such cases it is very hard to bring men over here and have the question of their right to enter the United States decided subsequent to their coming. The provision as found in the conference report simply allows the Secretary of Commerce and Labor to decide before the men are imported whether the case is one which comes within the law. The change was urged by the Department of Commerce and Labor, was embodied in the Senate bill, passed the Senate in that form, and was agreed to by the House.

Mr. SIMMONS. Is the decision of the Secretary of the Department of Commerce and Labor to be made before such persons embark on the other side?

Mr. LODGE. Yes. A person desiring to import skilled labor lays the case before the Secretary of Commerce and Labor for his decision. I believe this provision will be better both for the men and for the enforcement of the law.

Mr. CHAMBERLAIN. May I interrupt the Senator?

Mr. LODGE. Certainly.

Mr. CHAMBERLAIN. I understand the Senator to say that the bill is so framed as to leave the present laws with reference to Chinese exclusion intact?

Mr. LODGE. Precisely.

Mr. CHAMBERLAIN. Does it have any effect at all upon the question of Japanese immigration? Is there anything contained in the measure with reference to that?

Mr. LODGE. Well, the clause in the bill which passed the Senate, providing that no alien who was not eligible for natu-

ralization should be admitted, has been retained in the bill. As the Senator is well aware, the old naturalization law, which has been on the statute books for many years, excludes from entry into the United States anyone who does not belong either to the white or to the black race. Therefore any Asiatic would be excluded under the bill as it now stands unless provision is made otherwise by treaty or by agreement. It is just as it passed the Senate.

Mr. SMOOT. The bill, of course, applies to all immigrants, but does it apply to all aliens?

Mr. LODGE. It applies to all aliens.

Mr. SMOOT. But suppose a person has resided in this country 5 or 10 years, and has not taken out his naturalization papers, and returning to his former home, comes to the United States again. Is he subject to the provisions of this measure?

Mr. LODGE. He comes in just like any other alien.

Mr. SMOOT. But suppose he can not read and has heretofore lived here 10 years. He can not go home if he ever intends to come back to the United States?

Mr. LODGE. I think that is probable. I think that is the case to-day.

Mr. GALLINGER. If the Senator will permit me, I will ask whether or not the bill does not provide that the reading and writing shall be in any language.

Mr. LODGE. Any language.

Mr. GALLINGER. That covers that.

Mr. LODGE. Any language or any dialect. It is to read in any language or dialect, but does not include writing.

Mr. GALLINGER. Not writing.

Mr. LODGE. Not writing.

Mr. GALLINGER. I understand there has been a somewhat remarkable decision in one of the Western States, upon which I will not now elaborate, to the effect that a law providing for a reading qualification can only be applied to the English language. I think we ought to be careful in our legislation to make it broad enough to cover any language.

Mr. LODGE. I will explain to the Senator how that confusion in regard to the "English language" arose: When there was put into the bill the clause excluding all persons not eligible for naturalization, the attention of the committee of the Senate was called to the fact that the naturalization act required that every person who applied for naturalization should be able to sign his name to his application and should be able to speak English. The point was made that if we adopted language excluding persons not eligible for naturalization, it might be interpreted to mean persons who could not write and who were unable to speak in English, or read in English. I do not think it was legitimately open to that interpretation, but for greater precaution we put in a clause that inability to read English or to write should not be ground of exclusion.

In conference we framed the exclusion on the ground of non-eligibility to naturalization in such a way that it removed all possible question as to the qualification for naturalization being applied to the admission of the immigrant. The only thing applied to the immigrant is that if he does not belong to the white race or to the black race he can not come in, unless otherwise provided by treaty or agreement.

That was the origin of the confusion about the reading test being in English. The reading test is not in English. It is in the broadest possible language—to read in any language or dialect, including Hebrew and Yiddish. It was made as broad as possible and even went so far as to say specifically "including Hebrew or Yiddish," because the point was made by some of those who were anxious about it that Hebrew and Yiddish might not be construed strictly as either an existing language or dialect. I think they were entirely covered by the clause, but we put it in by excess of caution. That is the substance of the literacy test. The exceptions are exactly the same as when the bill passed the Senate.

I understood the Senator from Missouri to say he thought it desirable that the bill should go over on account of the absence of the Senator from New York [Mr. O'GORMAN].

Mr. SIMMONS. I understand the Senator from Massachusetts to say that, with the exception of the change of the literacy test resulting from the elimination of the word "write," the remainder of the Senate amendment was substantially adopted.

Mr. LODGE. Substantially; precisely the same; in fact, a large part of the Senate provision and House provision were in identical language.

Mr. STONE. I suggest to the Senator from Massachusetts that the report be printed in the Record, and that its further consideration go over until Monday.

Mr. LODGE. That is the request I made—that it go over and be printed in the Record. The report is really the bill.

The report, of course, is privileged, and I gave notice that I would call it up immediately after the morning business on Monday.

The PRESIDING OFFICER. The Secretary will state the next bill in order on the calendar.

Mr. POINDEXTER. Before we leave this subject, I should like to ask the Senator from Massachusetts whether this bill includes any outlying territory of the United States; whether it is applicable, say, to the Hawaiian Islands or to Porto Rico?

Mr. LODGE. In what respect; on the reading test?

Mr. POINDEXTER. On all tests.

Mr. LODGE. Of course, the old law has applied to those islands hitherto, and the only question that has arisen is in regard to the reading test being applied to Hawaii, to which great objection was made, and I think with justice. Owing to an accident—it was nothing else—Hawaii was omitted as an exception to the reading test. I do not want to take the time of the Senate, but it is necessary to explain the point for a moment.

They are very anxious to replace Japanese labor and Chinese labor with European labor, and are making every effort in that direction. The European labor they are getting is chiefly Portuguese, and the percentage of illiteracy among the Portuguese happens to be higher than among any other immigrants. Therefore the imposition in Hawaii of the literacy test as framed in the bill they think would work a great hardship to them. It was the intention of the Senate committee to make an exception in that respect for the islands of Hawaii, but by an omission, for which I suppose I am more responsible than anybody else, we took the amendment of the Senator from North Carolina in the place of our illiteracy amendment, and in accepting his we forgot to add the exception of Hawaii, which was in our bill.

Mr. ROOT. It was done on the floor.

Mr. LODGE. It was done on the floor, and we forgot to add the Hawaiian exception. We expected it to be put in in the House. It was not put in in the House, and though the conferees, I think, were unanimous in desiring to put it into the bill, they had no power to do it, because neither House had inserted it. I think it is an error that ought to be corrected.

I do not know whether that is the point the Senator from Washington desired me to explain.

Mr. POINDEXTER. It is exactly the point I had in mind, and I am very much obliged to the Senator for explaining it. I understand the Senator from Massachusetts to state that the law is to be amended by this bill so as to exclude all persons who are not qualified to become citizens of the United States.

Mr. LODGE. Not able to become eligible for naturalization.

Mr. POINDEXTER. Is that the language of the bill?

Mr. LODGE. That is the language of the bill.

Mr. POINDEXTER. Does that provision apply to Hawaii and Porto Rico?

Mr. LODGE. Yes; to everything under our jurisdiction.

Mr. POINDEXTER. And that is an amendment to the existing law, as I understand.

Mr. LODGE. That is a new provision, changing existing law, which passed the Senate. It was in the Senate bill.

Mr. POINDEXTER. And it is reported by the conferees, I understand?

Mr. LODGE. Yes. The House conferees agreed to it just as it passed the Senate.

Mr. President, I understand consent was given that this report go over and be printed in the Record, together with the statement I sent to the desk.

The PRESIDING OFFICER. Consent was given.

Mr. GRONNA subsequently said: May I ask what was done with the conference report? My attention was diverted for a moment.

The PRESIDING OFFICER. The conference report was ordered to be printed in the Record, and notice given that it would be called up on Monday next.

CREEK INDIANS.

The bill (S. 2344) to pay the balance due the loyal Creek Indians on the award made them by the Senate on February 16, 1903, was announced as the next business in order on the calendar.

Mr. CURTIS. Let the bill go over.

The PRESIDING OFFICER. There being objection, the bill will go over.

M'CLELLAN PARK.

The bill (S. 2845) to acquire certain land in Washington Heights for a public park to be known as McClellan Park was announced as next in order.

Mr. SMOOT. Let the bill go over.

Mr. SUTHERLAND. I hope no objection will be made to considering this bill. It has been read, and it went over on the objection of the Senator from New Hampshire [Mr. GALLINGER]. I understand he does not press his objection at this time. I think it is a very necessary bill and ought to be passed.

Mr. SMOOT. If I understand the bill correctly, it proposes to create a park out of a little piece of ground up on Connecticut Avenue.

Mr. SUTHERLAND. Yes.

Mr. SMOOT. Or Columbia Road, I should say.

Mr. SUTHERLAND. I think it is on Columbia Road.

Mr. GALLINGER. It is on Columbia Road.

Mr. SMOOT. On Columbia Road. I have heard a good many Senators and others criticize it, and for that reason I objected to it. I should like to look into it myself before consenting to its passage.

Mr. GALLINGER. Before objection is made, and lest the bill at some time should be called up and passed in its present form, I should like to submit two or three amendments. They are not very material, but yet necessary.

The Senate, as in Committee of the Whole, proceeded to consider the bill.

Mr. GALLINGER. In the committee amendment, on page 3, after the word "commissioners," in line 12, I move to insert the words "of the District of Columbia."

The amendment was agreed to.

Mr. GALLINGER. In line 1, page 4, where it is provided that the Government shall pay this entire amount of \$180,000 and that one-half of the sum shall be reimbursed by the District of Columbia in four equal annual installments, after the word "installments" I move to amend by adding "with interest at the rate of 3 per cent per annum."

Mr. SMOOT. Had we not better pay it all at once?

Mr. GALLINGER. The government of the District of Columbia is paying one-half. It is the usual form. We give them time to pay their one-half back. They have not any money.

The amendment was agreed to.

Mr. GALLINGER. I call the attention of the Senator from Utah to one further proposed amendment. The sum named in this bill is exactly the sum that the owner of this property is willing to take; and there is a provision commencing in line 9, on page 4, that—

If said commissioners shall be unable to purchase said land at a price not exceeding \$180,000, then they shall proceed to acquire said land by condemnation.

After the word "dollars," in line 11, I move to insert "or if said commissioners shall deem the price to be excessive"; so that they can go to condemnation if they, in their judgment, think the price is excessive.

Mr. SUTHERLAND. There is no objection to that.

Mr. BRISTOW. I do not think the Government ought to be paying \$180,000—

Mr. GALLINGER. I will ask whether the amendment has been agreed to, if the Senator will permit me.

The PRESIDING OFFICER. It has not. It is pending. The question is on agreeing to the amendment.

Mr. BRISTOW. I am perfectly willing to have the bill amended, but after that I want to object to the consideration of the bill.

The PRESIDING OFFICER. Without objection, the amendment is agreed to.

Mr. BRISTOW. As I understand, this tract of land is about two blocks from the Zoological Park, and I can not see why we should be spending money for parks there. If we want to spend money for parks, we ought to put them in other parts of the city, where they are not adjacent to other parks.

The PRESIDING OFFICER. Does the Senator from Kansas object to the present consideration of the bill?

Mr. BRISTOW. I do.

The PRESIDING OFFICER. Being objected to, the bill goes over.

BILLS, ETC., PASSED OVER.

The motion by Mr. POINDEXTER that the Senate Committee on Interstate Commerce be discharged from the further consideration of Senate bill 3297, to abolish the Commerce Court, etc., and that said bill be placed upon the calendar, under Rule VIII, for consideration by the Senate, was announced as next in order.

Mr. SMOOT. Let the motion go over.

The PRESIDING OFFICER. It will go over.

The bill (S. 7030) to provide for a permanent supply of coal for the use of the United States Navy and other governmental purposes, to provide for the leasing of coal lands in the Territory of Alaska, and for other purposes, was announced as next in order.

Mr. SMOOT. I ask that that go over.

The PRESIDING OFFICER. It goes over.

The bill (S. 6896) to reopen and extend certain letters patent granted to Richard B. Painton, to insert certain claims in said letters patent dated May 9, 1899, was announced as next in order.

Mr. SMOOT. I ask that the bill go over.

The PRESIDING OFFICER. The bill will go over, on objection by the Senator from Utah.

Mr. GALLINGER subsequently said: I was unavoidably out of the Chamber a few moments ago. I will ask what became of Senate bill 6896.

Mr. SMOOT. It went over.

Mr. GALLINGER. That is right. It ought to go over.

The PRESIDING OFFICER. Senate bill 6896 went over on objection.

Mr. GALLINGER. It ought to have gone over. That is proper.

Mr. SMOOT. I ask that Senate bill 6896 be placed under Rule IX.

The PRESIDING OFFICER. The Senator from Utah asks unanimous consent that the bill go over under Rule IX.

Mr. BRANDEGEE. The Senator who reported the bill is not on the floor.

Mr. SMOOT. If there is any objection, I will withhold the request until the Senator comes in. I did not observe that the Senator who reported it is absent.

The PRESIDING OFFICER. The Senator from Utah withdraws the request.

The bill (S. 2518) to provide for raising the volunteer forces of the United States in time of actual or threatened war was announced as next in order.

Mr. SMOOT. Has the bill been read, Mr. President?

The PRESIDING OFFICER. It has not been read.

Mr. CHAMBERLAIN. Mr. President, this is a measure of a good deal of importance, and as the chairman of the Committee on Military Affairs is not here for the moment, I think the bill ought to go over until he may be present.

The PRESIDING OFFICER. Does the Senator from Oregon object to its present consideration?

Mr. CHAMBERLAIN. I do.

The PRESIDING OFFICER. On the objection of the Senator from Oregon the bill goes over.

The bill (S. 6172) to regulate the method of directing the work of Government employees, was announced as next in order.

Mr. SMOOT. Let the bill go over.

The PRESIDING OFFICER. The bill goes over. The hour of 2 o'clock having arrived, it becomes the duty of the Chair to lay before the Senate the unfinished business, which will be stated.

The SECRETARY. A joint resolution (S. J. Res. 78) proposing an amendment to the Constitution of the United States.

Mr. WORKS. I ask that the unfinished business be temporarily laid aside.

The PRESIDING OFFICER. The Senator from California requests that the unfinished business be temporarily laid aside. In the absence of objection, it will be so ordered.

BUREAU OF MINES.

The bill (H. R. 17260) to amend an act entitled "An act to establish in the Department of the Interior a Bureau of Mines," approved May 16, 1910, was considered as in Committee of the Whole.

The bill was reported from the Committee on Mines and Mining with amendments.

The first amendment was, on page 2, line 13, after the word "the," where it occurs the first time, to strike out "direction" and insert "approval"; in line 18, after the word "and," to insert "conserving resources through"; in line 22, before the word "peat," to strike out "the"; in the same line, after the word "and," where it occurs the second time, to insert "on behalf of the Government to investigate the"; and in line 25, after the word "efficient," to insert "mining, preparation, treatment, and," so as to read:

SEC. 2. That it shall be the province and duty of the Bureau of Mines, subject to the approval of the Secretary of the Interior, to conduct inquiries and scientific and technologic investigations concerning mining, and the preparation, treatment, and utilization of mineral substances with a view to improving health conditions, and increasing safety, efficiency, economic development, and conserving resources through the prevention of waste, in the mining, quarrying, metallurgical, and other mineral industries; to inquire into the economic conditions affecting these industries; to investigate explosives and peat; and on behalf of the Government to investigate the mineral fuels and unfinished mineral products belonging to, or for the use of, the United States, with a view to their most efficient mining, preparation, treatment and use; and to disseminate information concerning these subjects in such manner as will best carry out the purposes of this act.

The amendment was agreed to.

The next amendment was, on page 3, after line 17, to strike out:

SEC. 4. That nothing in this act shall be construed as authorizing the Bureau of Mines or any employee of said bureau to undertake any investigation or operation in behalf of any private party, except for the health and safety of persons employed in the mining, quarrying, metallurgical, or other mineral industries and with the approval of the Secretary of the Interior; nor shall the director or any member of said bureau have any personal or private interest in any mine or the products of any mine under investigation.

And in lieu thereof to insert the following:

SEC. 4. In conducting inquiries and investigations authorized by this act neither the director nor any member of the Bureau of Mines shall have any personal or private interest in any mine or the products of any mine under investigation, or shall accept employment from any private party for services in the examination of any mine or private mineral property, or issue any report as to the valuation or the management of any mine or other private mineral property.

The amendment was agreed to.

The next amendment was, on page 4, line 16, after the word "investigations," to insert "of explosives," so as to read:

SEC. 5. That for tests or investigations of explosives authorized by the Secretary of the Interior under the provisions of this act, other than those performed for the Government of the United States or State governments within the United States, a reasonable fee covering the necessary expenses shall be charged, according to a schedule prepared by the Director of the Bureau of Mines and approved by the Secretary of the Interior, who shall prescribe rules and regulations under which such tests and investigations may be made. All moneys received from such sources shall be paid into the Treasury to the credit of miscellaneous receipts.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

INTERSTATE SHIPMENT OF LIQUORS.

The bill (S. 4043) to prohibit interstate commerce in intoxicating liquors in certain cases was announced as next in order.

Mr. SMOOT. That is a special order, Mr. President.

The PRESIDING OFFICER. The bill goes over, being a special order.

SANTIAM NATIONAL FOREST.

The bill (S. 7237) to reserve certain lands and to incorporate the same and make them a part of the Santiam National Forest was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, on page 1, line 11, after the word "Oregon," to strike out "be, and the same are hereby, reserved and withdrawn from entry and made a part of and included in the Santiam National Forest" and insert "in the event of final decision vacating, annulling, or setting aside the outstanding patents heretofore issued therefor, shall be, and are hereby, reserved and withdrawn from all disposition and included within the Santiam National Forest," so as to make the bill read:

Be it enacted, etc., That the following-described lands, to wit, the southeast quarter of section 24, township 14 south, range 2 east; all of section 14, the north half of section 20, the northwest quarter of section 22, the west half of section 24, the northwest quarter of section 28, the northeast quarter of section 31, all of section 34, and all of section 35, township 14 south, range 3 east; all in Linn County, Oreg., in the event of final decision vacating, annulling, or setting aside the outstanding patents heretofore issued therefor, shall be, and are hereby, reserved and withdrawn from all disposition and included within the Santiam National Forest.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

Mr. GRONNA. I should like to have some explanation from a Senator who is interested in the bill as to why this legislation is necessary.

Mr. CHAMBERLAIN. The land proposed to be withdrawn embraces about 3,000 acres, I think. Patents to it have already issued to a large lumber concern, and the United States has instituted a suit to cancel the patents. In the event that the suit is won by the Government of the United States it was desired to have these lands included within the reserve so that they might not be taken up by speculators. If, however, the suit is decided in behalf of the defendants, the bill will be inoperative and will not affect the lands at all.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

BILLS PASSED OVER.

The bill (H. R. 21524) for the relief of Frederick H. Ferris was announced as next in order.

Mr. CLARKE of Arkansas. Is there a report accompanying that bill?

Mr. SMOOT. There is a report.

Mr. CLARKE of Arkansas. It seems to me that the bill was reported adversely at one time by the Committee on Military Affairs, but I may be mistaken about it. Let it go over.

The PRESIDING OFFICER. The bill goes over on the objection of the Senator from Arkansas.

The bill (S. 6812) to amend section 3 of an act entitled "An act to provide for the allotment of land in severalty," etc., approved February 28, 1891, was announced as next in order.

Mr. CLARKE of Arkansas. I object to that bill.

The PRESIDING OFFICER. Objection is made, and the bill goes over.

The next business on the calendar was the resolution (S. Res. 362) for an investigation into the expenditures of the Forest Service and the appointment of a committee for the purpose.

Mr. GALLINGER. Let that go over, Mr. President.

The PRESIDING OFFICER. The resolution goes over on the request of the Senator from New Hampshire.

The bill (H. R. 22913) to create a Department of Labor was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill goes over on the request of the Senator from Utah.

The bill (S. 7089) to remove the charge of desertion against Charlie Meyers was announced as next in order.

Mr. ROOT. I think that bill had better go over.

The PRESIDING OFFICER. The bill goes over on the objection of the Senator from New York.

The bill (S. 2058) for the relief of William Wentworth was announced as next in order.

Mr. GALLINGER. Let that bill go over likewise, Mr. President.

The PRESIDING OFFICER. The bill goes over on the request of the Senator from New Hampshire.

INSPECTION AND GRADING OF GRAIN.

The bill (S. 223) to provide for the inspection and grading of grain entering into interstate commerce, and to secure uniformity in standards and classification of grain, and for other purposes, was announced as next in order.

Mr. NELSON. Let that bill go over.

Mr. CRAWFORD. Will the Senator permit me to say that it of course would be entirely futile to ask the Senate to dispose of the bill under Rule VIII, but, as I understand it, the Senate passed a similar bill once. The Senator from North Dakota [Mr. McCUMBER] is very much interested in the measure and he wanted me to submit the matter to the Senate, whether it was possible to get a unanimous-consent agreement to take up the bill at some day in the near future. I simply am putting out that feeler to see whether it can possibly be done.

The PRESIDING OFFICER. Does the Senator from Minnesota object to the present consideration of the bill?

Mr. NELSON. I object to its present consideration.

The PRESIDING OFFICER. The bill goes over on the objection of the Senator from Minnesota.

INTERSTATE COMMERCE COMMISSION.

The bill (S. 6100) appropriating \$100,000 for the use of the Interstate Commerce Commission in addition to the sum or sums already appropriated for their use was announced as next in order.

Mr. GALLINGER. Let that go over.

The PRESIDING OFFICER. The bill goes over on the objection of the Senator from New Hampshire.

LIMIT OF VISITORIAL POWERS.

The bill (H. R. 24153) to amend and reenact section 5241 of the Revised Statutes of the United States was announced as next in order.

Mr. SMOOT. Let that go over.

The PRESIDING OFFICER. The bill goes over on the objection of the Senator from Utah.

Mr. WILLIAMS. Do I understand that the consideration of the bill was objected to?

The PRESIDING OFFICER. It was, by the Senator from Utah.

Mr. WILLIAMS. I hope the Senator who made the objection will withdraw it. The Pujo investigating committee in the House can not proceed another step until this legislation is enacted. By the morning papers and the papers of the day before the proceedings of the committee are within the information of all Senators. The present law reads as follows:

No association shall be subject to any visitorial powers other than such as are authorized by this title, or are vested in the courts of justice.

When the Pujo investigating committee began to examine witnesses for the purpose of arriving at the information which the House of Representatives desired, they found this statute

lying athwart their pathway. It is subject to some doubt as to construction, it is true, but many of the witnesses have refused to answer questions and permit to be examined certain evidence within their possession because of this statute.

The House passed a bill, and in the Senate Committee on Finance certain members of that committee proposed as a substitute for the House bill the following: and if Senators will follow me they will note that down to the word "justice" it is a repetition of the existing law. It proposes to amend the act so that it will read:

SEC. 5241. No national banking association shall be subject to any visitatorial powers other than such as are authorized by this title, or are vested in the courts of justice.

Then begins the new language, and I call the attention of Senators to it:

Or such as shall be necessary to secure information by any committee appointed by Congress or either House thereof, within the limits of the authority conferred by Congress or either House on said committee.

The bill was adversely reported from the Finance Committee. The views of the minority are signed by Senators McCUMBER, LA FOLLETTE, SIMMONS, WILLIAMS, and JOHNSON.

I think it is a right serious thing, Mr. President, for a Senator or for the Senate to take the position of blocking an investigation by the House of Representatives. I think it is more serious of course for one Senator to do it than for the entire Senate. I am satisfied that if this bill could come before the Senate for a vote it would be passed. Ordinary comity between the two Houses would demand it, if nothing else. Besides that, ordinary justice demands it, because the House ought to have the opportunity, the Senate ought to have the opportunity, both Houses ought to have it, of investigating the affairs of its own creature.

The national banks are the creatures of the National Government; they are the creatures of the law passed by us; and to say that we shall permit to stand upon the statute book a provision to prevent the Congress of the United States, the law-making authority of the people, from getting that information which in the opinion of Congress or either House of Congress is necessary for the public welfare, is a position I take it which nobody ought to stand upon.

I do not know whether under the present arrangement it would be in order to move to take up the measure or not. I will make the inquiry.

The PRESIDING OFFICER. The Chair thinks it would not be in order, as the Senate is operating now under a unanimous-consent agreement to go to the Calendar to consider only unobjected bills.

Mr. WILLIAMS. I asked because I was not present when the unanimous-consent agreement was adopted, but I judged from the manner in which we have been proceeding that it had been adopted in that form.

I appeal to the Senator who made the objection to withdraw it, and at least permit the Senate to consider this matter, and not have it appear to the country that the Senate is thwarting an investigation by the House of Representatives, an investigation with the very highest purpose in view and of the highest importance to the people of the United States.

Mr. SMOOT. Mr. President, I have no desire whatever to interfere with the investigation on the part of the House of any matter, but this bill was referred to the Finance Committee of the Senate, and a majority of that committee voted upon it adversely. It was reported by the chairman adversely, and the chairman is not in the city to-day. It would be very unjust to him and to the committee, I think, to have the bill acted upon to-day, when there are very few Senators in the Chamber.

Mr. President, I shall certainly insist upon my objection to the consideration of the bill.

Mr. WILLIAMS. I hope the Senator will pardon me for an interruption merely to this extent: While it is true that the bill was acted upon adversely in the committee, it is also true that the committee sent it here to be placed on the calendar for the consideration of the Senate.

Mr. SMOOT. The chairman of the committee is not here. The bill proposes to change the existing law in a most radical way. I think the question would lead to a great deal of discussion, which is impossible at this time and under the present order.

The PRESIDING OFFICER. Under the objection of the Senator from Utah, the bill goes over.

Mr. WILLIAMS. I must rest satisfied with having called the attention of the country to it.

ANNIVERSARY OF THE TREATY OF GHENT.

The bill (S. 4236) to approve of the celebration of the one hundredth anniversary of the treaty of Ghent was considered as in Committee of the Whole.

The bill was reported from the Committee on Foreign Relations with an amendment, to strike out all after the enacting clause and insert:

That the President is hereby authorized to appoint a commission of seven members, to be known as the Peace Centennial Commission. It shall be the duty of the commission to confer with such other commissions or committees as may be constituted for similar purposes in other English-speaking countries, and to report to the Congress a plan for the appropriate celebration of the one hundredth anniversary of the treaty of Ghent. The commissioners shall serve without compensation. For the expenses of the commission, including salary of secretary, clerical service, traveling and office expenses, and printing plans, the sum of \$100,000 is hereby appropriated from any moneys in the Treasury not otherwise appropriated, and to be immediately available.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAMPAIGN CONTRIBUTIONS.

The bill (S. 3315) to prohibit corporations from making contributions in connection with political elections and to limit the amount of said contributions by individuals or persons was announced as next in order.

Mr. JONES. The chairman of the Committee on Privileges and Elections [Mr. DILLINGHAM] is not present, and the senior Senator from Texas [Mr. CULBERSON], who is interested in the bill, is also absent. So I ask that it may go over.

The PRESIDING OFFICER. The bill goes over under the objection of the Senator from Washington.

TRADE RESTRAINTS AND MONOPOLIES.

The bill (S. 3345) to amend the act of July 2, 1890, entitled "An act to protect trade and commerce against unlawful restraints and monopolies" was announced as next in order.

Mr. SMOOT. From what committee was the bill reported? The Committee on Interstate Commerce?

Mr. GALLINGER. The committee was discharged and the bill placed on the calendar.

Mr. SMOOT. I see that the committee was discharged. The bill had better go over.

The PRESIDING OFFICER. The bill goes over on the objection of the Senator from Utah.

NATIONAL MILITARY PARKS.

The bill (S. 6616) to provide for the protection of national military parks was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, in section 7, page 4, line 2, after the word "before," to strike out "any judge of any district or circuit court of the United States of the district in which such park is situated, or before any United States commissioner thereof" and insert "the nearest United States commissioner," so as to make the section read:

SEC. 7. That the park commissioners, superintendent, officers, or guardians of such park, or any of them, are authorized to arrest forthwith any person engaged, or who may have been engaged, in committing any misdemeanor named in this act, and shall bring such persons before the nearest United States commissioner, who, for the purpose of this act, shall have and exercise civil and criminal jurisdiction which is conferred upon justices of the peace by this act, the common law, and by the statute of the State in which such national military park is situated and such misdemeanor has been committed.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

FIRST LIEUT. SYDNEY SMITH.

The bill (S. 7288) to authorize the transfer of First Lieut. Sydney Smith from the retired to the active list of the Army was announced as next in order.

Mr. POMERENE. On behalf of the Senator from West Virginia [Mr. CHILTON] I ask that the bill go over.

The PRESIDING OFFICER. The bill goes over.

SALE OF BURNT TIMBER ON THE PUBLIC DOMAIN.

The bill (H. R. 24266) to authorize the sale of burnt timber on the public domain was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment, in section 1, page 1, line 6, after the name "United States," to insert "outside the boundaries of national forests," so as to make the section read:

That the Secretary of the Interior is hereby authorized, under such rules as he may prescribe, to sell and dispose of to the highest bidder at public auction, or through sealed bids, the timber on any lands of the United States outside the boundaries of national forests, including those embraced in unperfected claims under any of the public land laws, also upon the ceded Indian lands, that may have been killed or seriously and permanently damaged by forest fires prior to the passage of this act, the proceeds of all such sales to be covered into the Treasury of the United States.

States: *Provided*, That the damaged timber upon any lands embraced in an existing claim shall be disposed of only upon the application or with the written consent of such claimant, and the money received from the sale of damaged timber on any such lands shall be kept in a special fund to await the final determination of such claim.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

STANDARD OIL AND AMERICAN TOBACCO COS.

The resolution (S. Res. 375) discharging the Committee on the Judiciary from further consideration of the concurrent resolution (S. Con. Res. 4) instructing the Attorney General of the United States to prosecute the Standard Oil Co. and the American Tobacco Co. was announced as next in order.

Mr. SMOOT. Let that go over, Mr. President.

The PRESIDING OFFICER. The resolution goes over.

DOMMICK TAHENY AND JOHN W. MORTIMER.

The bill (S. 4309) for the relief of Dommick Taheny and John W. Mortimer was considered as in Committee of the Whole.

The bill was reported from the Committee on Post Offices and Post Roads with an amendment, on page 1, line 6, after the words "sum of," to strike out "\$5,000" and to insert "\$4,801.42," so as to make the bill read:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Dommick Taheny and John W. Mortimer the sum of \$4,801.42, in full payment and satisfaction of their claim against the United States for loss sustained on account of the cancellation of contract for the erection and lease of quarters for the Frankford station of the post office in Philadelphia, Pa.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

ROBERT N. CAMPBELL.

The bill (S. 6877) to reinstate Robert N. Campbell as a first lieutenant in the Coast Artillery Corps, United States Army, was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with amendments.

The first amendment was, in section 1, page 1, line 6, after the words "First Lieutenant," to strike out the name "John G. Hotz" and insert "Robert O. Edwards," so as to make the section read:

That the President of the United States be, and he is hereby, authorized to appoint Robert N. Campbell a first lieutenant in the Coast Artillery Corps, United States Army, to take rank next after First Lieut. Robert O. Edwards, Coast Artillery Corps, the said Robert N. Campbell having served for a period of 8 years and 6 months, from June, 1902, to December, 1910.

The amendment was agreed to.

The next amendment was, in section 2, page 2, after the word "appointment," to strike out "and he shall be additional to the number of officers prescribed by law for the grade of first lieutenant in the Coast Artillery Corps and to any grade to which he may hereafter be promoted, and that for the purpose of computing his pay his longevity shall be considered the same as if he had never been out of the service," so as to make the section read:

SEC. 2. That the said Robert N. Campbell shall receive no pay or emolument except from the date of his appointment.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

COUNTRY PARKS AND COMMUNITY CENTERS.

The bill (S. 6105) for the creating of country parks and community centers, and referring especially to one created in the State of Montana, in the Fort Shaw unit of the Sun River reclamation project, was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with an amendment to strike out all after the enacting clause and to insert:

That the Secretary of the Interior be, and he is hereby, authorized to withdraw from other disposition and reserve for country parks, public playgrounds, and community centers for the use of the residents upon the lands such tracts as he may deem advisable in each reclamation project or the several units of such reclamation projects undertaken under the act of June 17, 1902, known as the reclamation act.

SEC. 2. That every such tract of land so set apart shall be supplied with water from the Government irrigation system, the cost thereof to

be charged to the remaining lands of the project as a part of the construction charge of such project, and shall be maintained and used in perpetuity by the people upon said reclaimed lands for a pleasure park, public playground, and community center.

SEC. 3. That for the purpose of carrying out and effecting the objects of this act the Secretary of the Interior is authorized to enter into a contract with the organization formed by the owners of the lands irrigated within said project or project unit pursuant to section 6 of the act of June 17, 1902, stipulating and providing that the organization will maintain and use such of the lands so reserved for the purposes prescribed in this act as such organization may desire, and that upon failure to so maintain and use such lands, or in the event that same shall be permitted to be used or occupied for other purposes than those stipulated in this act, the control of the lands shall revert to the United States, and same shall be thereafter disposed of in accordance with the public-land laws applicable thereto.

SEC. 4. That any of such lands not contracted for in accordance with the provisions of section 3 of this act within 10 years from the time water is available for the same, or sooner, if the Secretary of the Interior may deem it desirable, shall be disposed of in accordance with the public-land laws applicable thereto, and the proceeds from the sale of a water right for the same shall be turned over to the organization representing the owners of the lands within such project.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The title was amended so as to read: "A bill to authorize the reservation of public lands for country parks and community centers within reclamation projects, and for other purposes."

HOURS OF LABOR ON PUBLIC WORKS.

The bill (H. R. 18787) relating to the limitation of the hours of daily services of laborers and mechanics employed upon a public work of the United States and of the District of Columbia, and of all persons employed in constructing, maintaining, or improving a river or harbor of the United States and of the District of Columbia, was announced as next in order.

Mr. NELSON. My impression is that the Senator from Arkansas [Mr. CLARKE] has some amendments which he wants to offer to that bill. I therefore ask that it go over.

The PRESIDING OFFICER. The bill goes over, on the objection of the Senator from Minnesota.

OVERDUE PERSONAL TAXES IN THE DISTRICT.

The bill (S. 7430) providing for the cancellation of certain overdue personal taxes in the District of Columbia was considered as in Committee of the Whole. It proposes that section 6 of "An act making appropriations to provide for the expenses of the government of the District of Columbia for the fiscal year ending June 30, 1903, and for other purposes," approved July 1, 1902, be amended by adding thereto the following paragraph:

PAR. 20. The assessor of the District of Columbia is hereby authorized, under the direction of the commissioners, to cancel all personal taxes, in the month of July of each year, standing on his books, which are over five years old and which the collector of taxes and the corporation counsel report to be uncollectible.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PUNISHMENT OF MURDER IN THE DISTRICT.

The bill (S. 7102) to amend section 801 of the Code of Law for the District of Columbia was considered as in Committee of the Whole.

The bill was reported from the Committee on the District of Columbia with an amendment, on page 1, after line 9, to strike out:

SEC. 801. The punishment of murder in the first degree shall be death by hanging. The punishment of murder in the second degree shall be imprisonment for life, or for not less than 20 years. In all cases where the accused is found guilty of the crime of murder in the first degree the jury may qualify their verdict by adding thereto "without capital punishment," and whenever the jury shall return a verdict qualified as aforesaid the person convicted shall be sentenced to imprisonment for life.

And in lieu thereof to insert:

SEC. 801. The punishment of murder in the first degree shall be death by electrocution. The punishment of death must, in every case, be inflicted by causing to pass through the body of the convict a current of electricity of sufficient intensity to cause death, and the application of such current must be continued until such convict is dead. The punishment of murder in the second degree shall be imprisonment for life or for not less than 20 years. In all cases where the accused is found guilty of the crime of murder in the first degree the jury may qualify their verdict by adding thereto "without capital punishment," and whenever the jury shall return a verdict as aforesaid the person convicted shall be sentenced to imprisonment for life.

So as to make the bill read:

Be it enacted, etc., That section 801 of an act entitled "An act to establish a Code of Law for the District of Columbia," approved March 3, 1901, as amended by the acts approved January 31 and June 30, 1902, and subsequent acts to and including March 4, 1911, be, and the same is hereby, amended to read as follows:

SEC. 801. The punishment of murder in the first degree shall be death by electrocution. The punishment of death must, in every case,

be inflicted by causing to pass through the body of the convict a current of electricity of sufficient intensity to cause death, and the application of such current must be continued until such convict is dead. The punishment of murder in the second degree shall be imprisonment for life or for not less than 20 years. In all cases where the accused is found guilty of the crime of murder in the first degree the jury may qualify their verdict by adding thereto "without capital punishment," and whenever the jury shall return a verdict as aforesaid the person convicted shall be sentenced to imprisonment for life.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS OF SURVIVING SOLDIERS OF INDIAN WARS.

The bill (H. R. 14053) to increase the pensions of surviving soldiers of Indian wars in certain cases was considered as in Committee of the Whole.

The bill was reported from the Committee on Pensions with an amendment, on page 1, line 9, before the word "dollars," to strike out "thirty" and to insert "twelve," so as to make the bill read:

Be it enacted, etc., That from and after the passage of this act the rate of pension to surviving soldiers of the various Indian wars who are now on the pension roll or who may hereafter be placed thereon under the acts of July 27, 1892, June 27, 1902, and May 30, 1908, shall be \$12 per month.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

LANDS OF FORMER FORT NIobrARA MILITARY RESERVATION, ETC.

The bill (H. R. 25764) to subject lands of former Fort Niobrara Military Reservation and other lands to homestead entry was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JUDICIAL PROCEDURE IN UNITED STATES COURTS.

The bill (H. R. 16461) to regulate judicial procedure of the courts of the United States was announced as next in order.

Mr. CATRON. Let that go over, Mr. President.

The PRESIDING OFFICER. The bill goes over.

AGRICULTURAL EXTENSION DEPARTMENTS.

The bill (H. R. 22871) to establish agricultural extension departments in connection with agricultural colleges in the several States receiving the benefits of an act of Congress approved July 2, 1862, and acts supplementary thereto, was announced as next in order.

Mr. SMOOT. Mr. President, the Senator from Georgia [Mr. SMITH] has given notice that he will call this bill up on next Monday. I therefore ask that it go over.

The PRESIDING OFFICER. The bill goes over.

Mr. McCUMBER. Before the bill goes over, I ask to offer an amendment to it, which I send to the desk. I ask that the amendment, without reading, may be printed and lie on the table.

The PRESIDING OFFICER. That order will be made in the absence of objection.

ACQUISITION OF DEPOSITS OF BORAX, ETC.

The bill (H. R. 4002) defining the manner in which deposits of borax, borate of lime, borate of soda, and borate material may be acquired was considered as in Committee of the Whole.

The bill had been reported from the Committee on Mines and Mining with an amendment to strike out all after the enacting clause and to insert:

That all public lands within the United States containing valuable deposits of borax, borate of lime, borate of soda, or borate material shall be subject to location, entry, and patent under the placer mining laws of the United States, and no location hereafter made, whether by an individual, association of individuals, or by a corporation, shall exceed 20 acres in area. Patents heretofore issued for lands containing such deposits, whether as patents for lodes or patents for placer, are hereby confirmed, if otherwise regular and valid, notwithstanding the formation or mode of occurrence of the deposits. Placer patents heretofore issued and hereafter issued for lands containing such deposits shall vest in and convey to the patentee or patentees therein named, his or their successors or assigns, the title to all lands containing such deposits within the exterior boundaries of the land described in such patents: *Provided*, That where lands containing such deposits have heretofore been located under the laws providing for the entry of mineral lode claims, such locations may be perfected and patents issued under the laws applicable to lode claims: *And provided further*, That no conflicting rights, contests, or litigation as between locators under the placer laws and the mineral lode laws on locations heretofore made of lands containing such deposits shall be affected by the provisions of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CAPT. FRANK E. EVANS.

The bill (S. 7169) to transfer Capt. Frank E. Evans from the retired to the active list of the Marine Corps was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. PERKINS. I ask that the report in that case be printed in the Record.

The PRESIDING OFFICER. In the absence of objection, it will be so ordered.

The report referred to, which was submitted by Mr. WETMORE on December 18, 1912, is as follows:

The Committee on Naval Affairs, to whom was referred the bill (S. 7169) to transfer Capt. Frank E. Evans from the retired to the active list of the Marine Corps, have had the same under consideration and report it back without amendment.

This officer was placed on the retired list of the Marine Corps after a total service, including Volunteer Army service in the Spanish War, of eight years and three months. Since that time he has led an active life and last year was accepted for life insurance by one of the conservative companies as a perfect risk. He has also been advised on expert authority that his cause of disability, heart disease, no longer exists to the point where it unfits him for the demands of active service. A similar case, that of Capt. Harold S. Jackson, United States Army, passed the Senate at the last session and in addition restored Capt. Jackson to the next higher grade in the number which he would have reached had he not been retired. Capt. Robert M. Gilson, United States Marine Corps, was restored by Congress to the active list, in his original number, following his resignation. Capt. Gilson's length of service at the time was approximately half as long as that of Capt. Evans, his separation from the active list approximately the same, and his resignation was voluntary, while the retirement of Capt. Evans was not desired by that officer. Other cases in which officers of the Navy have been restored to the active list by Congress were those of Leonard M. Cox, Corps of Civil Engineers, on March 4, 1907; Commander K. McAlpine on June 25, 1910; Capt. S. M. Ackley on April 18, 1904.

Capt. Evans is now drawing pay as a retired officer but performing no duty. If restored to the active list, the Marine Corps would have the services of a trained officer at a comparatively small increase of pay. It is not considered likely, moreover, that he would reach a higher grade only to be again retired for disability, as the regulations of the Navy now require monthly tests of the officers on the active list. There is now pending in Congress a bill to increase the number of officers in the Marine Corps by appointments from the Naval Academy and from civil life. The passage of this bill would give the Marine Corps the services of an officer of more than eight years' total service as an enlisted man and officer at sea, in the Tropics, at the headquarters of the Marine Corps, on special duty in connection with the training of officers and enlisted men, and recruiting duty.

NATIONAL CARTAGE & WAREHOUSE CO., OF NEW YORK CITY.

The bill (H. R. 24137) to refund to the National Cartage & Warehouse Co., of New York City, N. Y., excess duty was considered as in Committee of the Whole. It directs the Secretary of the Treasury to refund to the National Cartage & Warehouse Co., of New York City, N. Y., \$95.40 collected on two cases of majolica ware in excess of the actual duty thereon.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CIGARS FURNISHED EMPLOYEES BY MANUFACTURERS.

The bill (H. R. 25741) amending section 3392 of the Revised Statutes of the United States, as amended by section 32 of the act of August 5, 1909, was announced as next in order.

Mr. SMOOT. Mr. President, I see there is no report accompanying that bill. I therefore ask that it go over, because I desire to obtain some information concerning it.

Mr. BRYAN. If the Senator from Utah will withhold his objection for just a moment, I think I can explain to him the situation which this bill is designed to relieve.

Mr. SMOOT. I did not hear the Senator.

Mr. BRYAN. I say I think I can explain to the Senator from Utah the position taken by the Commissioner of Internal Revenue in reference to this bill.

The PRESIDING OFFICER. Does the Senator from Utah withhold his objection?

Mr. SMOOT. Mr. President, I know what the object of the bill is, but I do not know what position the Commissioner of Internal Revenue takes regarding it nor do I know what effect the passage of the bill will have upon the collection of revenue hereafter from the manufacturers of cigars. It may be perfectly feasible, it may be all right; but I ask the Senator to allow the bill to go over to-day, and I promise him that I will look the matter up before the calendar is again considered.

Mr. BRYAN. Before the bill goes over I should like to say a few words, if the Senator from Utah will withhold his objection. In September, 1911, a question was raised by the Commissioner of Internal Revenue as to whether or not the internal-revenue tax should be imposed on the small amounts of cigar

tobacco used by the employees of factories, the Commissioner of Internal Revenue at that time taking the position that he would enforce the tax. Subsequently to that, in March of this year, the Secretary of the Treasury, in commenting upon this bill and similar bills, made this statement:

No objection, however, would be offered to the bills submitted amended so as to read that: "On and after the passage of this act no manufacturer of cigars shall be taxed for cigars consumed on the factory premises by the cigar makers employed in the actual fabrication or production of cigars, and the manufacturers themselves."

And so forth.

The bill has been amended so as to meet that view. The only change from existing law is now found in the second proviso of the bill, which permits employees to use for their own consumption 21 cigars a week, or an average of 3 cigars a day. It seems to me the Secretary himself has practically said in his letter of March 11, 1912, that he has no objection to it.

Now, the contest, prior to October, 1911, by the cigar manufacturers was that for the whole time no Secretary of the Treasury or Commissioner of Internal Revenue had undertaken to enforce a tax on cigars used by employees. The Commissioner of Internal Revenue at that time, Mr. Cabell, took the position that they ought to be taxed, and a friendly suit was brought, which, so far as I know, has not yet been determined.

This bill was introduced to avoid the payment of the internal-revenue tax in case it should be held that they could, under existing law, be forced to pay this tax, inasmuch as it was not anything out of which the manufacturers would reap any benefit and was something which in the nature of things they had to yield to to satisfy their employees. As I have said, the proposition seems not to have met with any objection on the part of the Secretary of the Treasury, as I gather from his letter as it appears in the House report upon this bill. In view of that statement and in view of the fact that the bill has been reported by the Ways and Means Committee of the House and by the Finance Committee of the Senate, if the Senator from Utah could allow this bill, which has remained upon the calendar for some considerable time, to be acted upon now, I do not feel that either the Secretary of the Treasury or any one else would have the right to complain of it.

Mr. SMOOT. I appreciate the position of the Senator, but for reasons already stated I shall have to object to the consideration of the bill.

The PRESIDING OFFICER. Under objection the bill goes over.

VALIDATION OF CERTAIN HOMESTEAD ENTRIES.

The bill (S. 7568) to validate certain homestead entries was considered as in Committee of the Whole. It provides that all pending homestead entries made in good faith prior to September 1, 1911, under the provisions of the enlarged homestead laws, by persons who before making such enlarged homestead entry had acquired title to land under the homestead laws and therefore were not qualified to make an enlarged homestead entry, shall be validated, if in all other respects regular, in all cases where the original homestead entry was for less than 160 acres of land.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN TIMBER LAKE AND DUPREE, S. DAK.

The bill (H. R. 45) affecting the town sites of Timber Lake and Dupree, in South Dakota, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

VEHICLES IN THE DISTRICT OF COLUMBIA.

The bill (S. 6919) to amend subchapter 2 of chapter 19 of the Code of Law for the District of Columbia was considered as in Committee of the Whole.

The bill had been reported from the Committee on the District of Columbia with amendments, on page 1, line 6, after the word "Any," to strike out "chauffeur or other"; in line 10, after the word "building," to strike out "or place"; and on page 2, line 3, after the word "shall," to strike out "suffer imprisonment for not less than 1 nor more than 10 years" and insert "be punished by a fine not exceeding \$1,000 or imprisonment not exceeding five years, or both such fine and imprisonment," so as to make the bill read:

Be it enacted, etc., That the Code of Law for the District of Columbia be amended by adding to subchapter 2 of chapter 19 the following section:

SEC. 826b. Unauthorized use of vehicles.—Any person who, without the consent of the owner, shall take, use, operate, or remove, or cause to be taken, used, operated, or removed from a garage, stable, or other building, or from any place or locality on a public or private highway, park, parkway, street, lot, field, inclosure, or space, an automobile or

motor vehicle, and operate or drive, or cause the same to be operated or driven, for his own profit, use, or purpose, shall be punished by a fine not exceeding \$1,000 or imprisonment not exceeding five years, or both such fine and imprisonment.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

EXTENSION OF CERTAIN HIGHWAYS.

The bill (S. 7509) to authorize the extension of Twenty-fifth Street SE. and White Place, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

PHOSPHATE AND OIL LANDS IN IDAHO.

The bill (S. 7638) to provide for State selections on phosphate and oil lands was considered as in Committee of the Whole.

Mr. BRISTOW. It seems to me that this is rather an unusual bill, Mr. President.

Mr. SMOOT. No. Such a bill has been passed heretofore for every State in the West.

Mr. BRISTOW. It has?

Mr. SMOOT. It applies to lands that have been withdrawn for oil or phosphate, and under the law of withdrawal people can not homestead these lands. This gives a homesteader a right to homestead those lands, reserving to the Government the phosphate or oil there may be under them.

The bill had been reported from the Committee on Public Lands with amendments.

The first amendment was, in section 1, on page 1, line 6, after the word "shall," to insert "if otherwise available under existing laws," so as to make the section read:

That from and after the passage of this act unreserved public lands of the United States in the State of Idaho which have been withdrawn or classified as phosphate or oil lands or are valuable for phosphates or oil shall, if otherwise available under existing laws, be subject to selection by the State of Idaho under indemnity and other land grants made to it by Congress, whenever such selections shall be made with a view of obtaining or passing title, with a reservation to the United States of the phosphates and oil in such lands and of the right to prospect for, mine, and remove the same.

The amendment was agreed to.

The next amendment was, on page 2, to strike out section 3 and insert in lieu thereof the following:

SEC. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which selection is made and this act, the State shall, upon approval of the selection by the Secretary of the Interior, be entitled to have the lands certified to it, with a reservation to the United States of all the phosphates and oil in the land so certified, together with the right in the United States, or persons authorized by them, to prospect for, mine, and remove the same; but before any person shall be entitled to enter upon the lands certified for the purpose of prospecting, mining, or removing phosphates or oil therefrom he shall furnish, subject to approval by the Secretary of the Interior, a bond or undertaking as security for the payment of all damages to the crops and improvements on said lands by reason of such prospecting for and removal of phosphates or oil. The reserved phosphate and oil deposits in approved selections under this act shall not be subject to exploration or entry other than by the United States, except as hereinafter authorized by Congress.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

PENSIONS AND INCREASE OF PENSIONS.

The bill (H. R. 27062) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war, was considered as in Committee of the Whole. The bill had been reported from the Committee on Pensions with amendments.

The first amendment was, on page 2, after line 16, to strike out:

The name of Narcisse Menard, helpless and dependent son of John Menard, who served under the name of John Miner, late of Company I, One hundred and twenty-third Regiment New York Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 4, line 13, after the word "Tennessee," to strike out "Mounted," and in the same line, after the word "Volunteer," to insert "Mounted," so as to make the clause read:

The name of John Howell, late of Company H, Second Regiment Tennessee Volunteer Mounted Infantry, and pay him a pension at the rate of \$50 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 5, after line 2, to strike out:

The name of Julia A. Ferber, former widow of Richard Kershaw, late of Companies K and G, Sixteenth Regiment Wisconsin Volunteer Infantry, and Company F, Fourth Regiment United States Veteran Infantry, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 7, line 19, before the name "Brandau," to strike out the initial "A." and insert "C." and in line 20, after the name "Gustavus," to strike out the initial "A." and insert "R." so as to make the clause read:

The name of Charlotte C. Brandau, widow of Gustavus R. Brandau, surgeon Eleventh Regiment Tennessee Volunteer Cavalry, and pay her a pension at the rate of \$25 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 7, after line 22, to strike out:

The name of Sarah J. Kelley, widow of Curtis Kelley, late of Company C, Eleventh Regiment New Jersey Infantry, and the Fifty-seventh Company, Second Battalion Veteran Reserve Corps, and pay her a pension at the rate of \$20 per month.

The amendment was agreed to.

The next amendment was, on page 9, line 3, before the word "widow," to insert "former," so as to make the clause read:

The name of Frances A. Ginther, former widow of Sidney Ginther, late of Company D, Eighty-eighth Regiment Indiana Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 10, after line 12, to strike out:

The name of Phoebe Cosgriff, widow of James Cosgriff, late of Company A, Twelfth Regiment Missouri Volunteer Cavalry, and of Detachment Veteran Reserve Corps, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 10, line 22, after the word "Regiment," to insert "United States Reserve Corps"; and in line 23, after the word "Infantry," to strike out "and United States Reserve Corps," so as to make the clause read:

The name of Conrad Oppermann, late of Company I, First Regiment United States Reserve Corps, Missouri Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 11, line 2, before the word "late," to strike out the name "Johnston" and insert "Johnson," so as to make the clause read:

The name of Emily S. Hewett, former widow of Cyrus P. Johnson, late of Company C, Sixth Regiment Massachusetts Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 11, after line 8, to strike out:

The name of John Jeffery, late of Company B, Twenty-fifth Regiment Iowa Volunteer Infantry, and pay him a pension at the rate of \$36 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 12, after line 12, to strike out:

The name of Sue B. Merrill, widow of Sherman M. Merrill, chaplain, One hundred and seventy-seventh Regiment New York Volunteer Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 13, line 19, before the words "per month," to strike out "\$36" and insert "\$24," so as to make the clause read:

The name of David W. Weston, late of Company G, Second Regiment Vermont, Volunteer Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 14, line 13, after the word "Company," to strike out the letter "D" and insert "B," so as to make the clause read:

The name of George Duphorn, late of Company B, Sixty-third Regiment Pennsylvania Volunteer Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 15, line 5, before the word "Cavalry," to strike out "Militia" and insert "Volunteer," so as to make the clause read:

The name of Isaac D. Combs, late of Company D, Sixth Regiment Missouri Volunteer Cavalry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 17, after line 4, to strike out:

The name of James F. Conway, late of Company K, Thirteenth Regiment New York State Militia Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, at the top of page 18, to strike out:

The name of Dorcas Cuppy, former widow of William Quigg, late of Company F, Fifth Regiment Pennsylvania Volunteer Cavalry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 19, after line 9, to strike out:

The name of Anna Bishop, former widow of James D. Ross, late of Company I, Eighty-third Regiment Pennsylvania Volunteer Infantry, and pay her a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 19, line 19, before the word "Volunteer," to strike out "Mounted," and in the same line, after the word "Volunteer," to insert "Mounted," so as to make the clause read:

The name of Drury Craig, late of Company H, Third Regiment North Carolina Volunteer Mounted Infantry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 20, line 12, after the word "receiving," to insert "Provided, That in the event of the death of Edward Faulder, helpless and dependent child of said Cyrenus Faulder, the additional pension herein granted shall cease and determine," so as to make the clause read:

The name of Mary E. Faulder, widow of Cyrenus Faulder, late of Company C, Seventy-first Regiment Ohio Volunteer Infantry, and pay her a pension at the rate of \$24 per month in lieu of that she is now receiving: *Provided, That in the event of the death of Edward Faulder, helpless and dependent child of said Cyrenus Faulder, the additional pension herein granted shall cease and determine.*

The amendment was agreed to.

The next amendment was, on page 23, line 2, before the word "Volunteer," to strike out "Mounted," and in the same line, after the word "Volunteer," to insert "Mounted," so as to make the clause read:

The name of John H. Slatton, late of Company K, Fourth Regiment Kentucky Volunteer Mounted Infantry, and pay him a pension at the rate of \$30 per month in lieu of that he is now receiving.

The amendment was agreed to.

The next amendment was, on page 23, line 18, after the word "late," to strike out "of" and insert "first lieutenant and adjutant," so as to make the clause read:

The name of Ella Scott, widow of Joseph P. Scott, late first lieutenant and adjutant Second Regiment Wisconsin Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 24, after line 13, to strike out:

The name of Margaret Berg, widow of Frank J. Berg, late of Company D, Ninth Regiment Illinois Volunteer Cavalry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 27, after line 12, to strike out:

The name of Margaret Scanlon, widow of John Scanlon, late of Company H, First Regiment United States Infantry, and pay her a pension at the rate of \$20 per month in lieu of that she is now receiving.

The amendment was agreed to.

The next amendment was, on page 31, line 23, before the words "per month," to strike out "\$24" and insert "\$12," and in the same line, after the word "month," to strike out "in lieu of that he is now receiving," so as to make the clause read:

The name of John W. Morse, late of Company G, One hundred and ninety-first Regiment Ohio Volunteer Infantry, and pay him a pension at the rate of \$12 per month.

The amendment was agreed to.

The next amendment was, on page 32, line 12, after the word "Volunteer," to strike out "Infantry" and insert "Cavalry," so as to make the clause read:

The name of Daniel H. Rankin, late of Company C, Thirteenth Regiment Tennessee Volunteer Cavalry, and pay him a pension at the rate of \$24 per month in lieu of that he is now receiving.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

The bill (S. 8034) granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent relatives of such soldiers and sailors was considered as in Committee of the Whole. It proposes to pension the following persons at the rates per month stated:

Ellen B. Kittredge, widow of Perry Kittredge, late hospital steward, Third Regiment New Hampshire Volunteer Infantry, \$20.

Thomas W. Dickey, late scout, United States Army, \$12.

Mary E. McDermott, widow of John E. McDermott, late captain Company G, One hundred and eighth Regiment Illinois Volunteer Infantry, \$20.

Henry Frink, late of Company I, Eighteenth Regiment Connecticut Volunteer Infantry, \$30.

Christian C. Bradymeyer, late of Company E, Seventieth Regiment Indiana Volunteer Infantry, \$36.

George M. Pierce, late of Company I, Second Regiment New York Volunteer Cavalry, \$30.

Joseph C. Trickey, late of Company B, First Regiment Maine Volunteer Heavy Artillery, \$30.

James M. Kinnaman, late of Company G, Twelfth Regiment Indiana Volunteer Infantry, \$30.

Addie Roof, widow of Daniel P. Roof, late of Twenty-first Battery, Indiana Volunteer Light Artillery, \$12.

Leeman Underhill, late of Company D, First Regiment Wisconsin Volunteer Heavy Artillery, \$40.

Charles W. Morgan, late of Company E, Tenth Regiment West Virginia Volunteer Infantry, \$30.

Alphonso L. Stasy, late of Company G, Twenty-first Regiment Massachusetts Volunteer Infantry, \$50.

Jeremiah Lushbough, late of Company I, One hundred and fourteenth Regiment Illinois Volunteer Infantry, \$30.

James B. Sales, late of Company C, Eighty-eighth Regiment Ohio Volunteer Infantry, \$24.

Mary E. Rikard, widow of James M. Rikard, late of Company B, First Regiment Alabama Volunteer Cavalry, and Company A, One hundred and forty-fifth Regiment Illinois Volunteer Infantry, \$24: *Provided*, That in the event of the death of Minnie V. Rikard, helpless and dependent child of said James M. Rikard, the additional pension herein granted shall cease and determine: *And provided further*, That in the event of the death of Mary E. Rikard the name of the said Minnie V. Rikard shall be placed on the pension roll at \$12, from and after the date of death of said Mary E. Rikard.

Margaret H. Benjamin, widow of Edson A. Benjamin, late of the U. S. S. *Ohio*, United States Navy, \$20.

Benjamin F. Ferris, late of Company K, Fifty-eighth Regiment Pennsylvania Volunteer Infantry, \$50.

Hiram Ferrier, late of Company G, Sixty-seventh Regiment Pennsylvania Volunteer Infantry, \$50.

Henry B. Leach, late of Company I, Sixty-sixth Regiment Indiana Volunteer Infantry, \$36.

John Bell, late of Company I, Twelfth Regiment Wisconsin Volunteer Infantry, \$24.

Elizabeth Lille, widow of Lewis Lille, late of Company C, Tenth Regiment Kansas Volunteer Infantry, \$20.

George M. Conner, late of Companies F and M, First Regiment Vermont Volunteer Cavalry, \$30.

Lola B. Hendershott and Louise Hendershott, helpless and dependent children of Henry B. Hendershott, late captain, Second Regiment United States Artillery, and major, United States Army, retired, and pay each of said children a pension of \$12.

Daniel H. Grove, late of Company H, Sixty-fourth Regiment Illinois Volunteer Infantry, \$30.

Charlotte R. Coe, widow of Edward D. Coe, late second lieutenant Company B, First Regiment Alabama Volunteer Cavalry, \$20.

Caroline M. Packard, widow of William H. Packard, late of Company G, First Regiment, and Company E, Eleventh Regiment Rhode Island Volunteer Infantry, \$20.

Benjamin C. Smith, late of Company A, One hundred and fifth Regiment Pennsylvania Volunteer Infantry, \$36.

George R. Griffith, late second lieutenant Company B, Two hundred and eleventh Regiment Pennsylvania Volunteer Infantry, \$24.

Rolly Wright, late of Battery A, First Regiment West Virginia Volunteer Light Artillery, \$30.

Charles J. Higgins, late of Company C, First Regiment Maine Volunteer Cavalry, and Eighty-first Company, Second Battalion, Veteran Reserve Corps, \$30.

Joseph Letzkus, late of Company G, First Regiment West Virginia Volunteer Infantry, \$30.

Israel H. Phillips, late of Company C, Ninety-seventh Regiment Illinois Volunteer Infantry, \$30.

John E. Woodward, late captain Company F, Eighteenth Regiment Connecticut Volunteer Infantry, \$40.

Josephine A. Davis, former widow of James H. Sackett, late of Company K, Ninth Regiment Minnesota Volunteer Infantry, \$12.

Osmer C. Coleman, late of Company D, One hundred and eightieth Regiment Ohio Volunteer Infantry, \$24.

Hugh McLaughlin, late of Company F, Seventh Regiment Minnesota Volunteer Infantry, \$30.

Joseph Striker, late of Company E, Eighty-third Regiment Indiana Volunteer Infantry, \$30.

Mary Glancey, widow of James Glancey, late of Company D, Ninth Regiment Connecticut Volunteer Infantry, \$20.

Joby A. Howland, late of Company F, Fifty-first Regiment Indiana Volunteer Infantry, \$24.

Andrew King, late of Company A, Sixth Regiment West Virginia Volunteer Infantry, \$30.

Mary S. Hull, widow of John P. Hull, late of Company C, Seventeenth Regiment Illinois Volunteer Cavalry, \$20.

Sarah E. Haskins, widow of John A. Haskins, late of Company D, First Regiment Connecticut Volunteer Heavy Artillery, \$20.

Ira Walde, late of Company I, Sixth Regiment Iowa Volunteer Cavalry, \$50.

Ellis C. Howe, late of Company D, Fifty-third Regiment Pennsylvania Volunteer Infantry, \$40.

Thomas M. Dixon and Joanna L. Dixon, helpless and dependent children of Barton S. Dixon, late captain Company F, Eighth Regiment Kentucky Volunteer Infantry, \$12.

Solomon Wilburn, late of Company H, Thirty-second Regiment Kentucky Volunteer Infantry, \$24.

William O. Sutherland, late of Company A, Eighth Regiment Michigan Volunteer Infantry, and Company B, Battalion United States Engineers, \$30.

Annie H. Ross, widow of D. Laning Ross, late of U. S. S. *Peri*, United States Navy, \$12.

John Dixon, late of Company A, Fiftieth Regiment Indiana Volunteer Infantry, \$30.

Arnold Bloom, late of Company K, Forty-second Regiment Pennsylvania Volunteer Infantry, \$30.

John D. Perkins, late of Company B, Second Regiment, and Company F, Twenty-ninth Regiment, Maine Volunteer Infantry, \$30.

William Harrison, late of Company H, Twenty-sixth Regiment Indiana Volunteer Infantry, \$30.

Sarah E. Johnson, widow of Absalom Y. Johnson, late lieutenant colonel Twenty-eighth Regiment Kentucky Volunteer Infantry, and colonel Seventh Regiment Veteran Reserve Corps, \$20.

Willis Dobson, late of Company B, Fiftieth Regiment, and Company A, Fifty-second Regiment, Indiana Volunteer Infantry, \$30.

Zachariah T. Fortner, late of Company G, Fifty-third Regiment Kentucky Volunteer Infantry, \$30.

Jesse A. Moore, late of Company H, Sixth Regiment Illinois Volunteer Cavalry, \$30.

James Moynahan, late second lieutenant Company B, and first lieutenant Company D, Twenty-seventh Regiment Michigan Volunteer Infantry, \$36.

Dustin Berrow, late of Company F, First Regiment United States Volunteer Sharpshooters, and Company G, Fourth Regiment Vermont Volunteer Infantry, \$36.

Sarah J. Viall, widow of Horace T. Viall, jr., late of Company B, Second Regiment Rhode Island Volunteer Infantry, \$20.

James Luther Justice, late of Company L, Twentieth Regiment New York Volunteer Cavalry, \$30.

Mary A. Crocker, widow of George A. Crocker, late captain Company A, Sixth Regiment New York Volunteer Cavalry, \$20.

Winfield S. McGowan, late of Company B, Eighth Regiment New Jersey Volunteer Infantry, \$30.

Martha J. Stephenson, widow of Ferdinand D. Stephenson, late captain Company B, Forty-eighth Regiment, and colonel One hundred and fifty-second Regiment, Illinois Volunteer Infantry, \$30.

George E. Smith, late of Company B, First Regiment Rhode Island Volunteer Light Artillery, \$24.

Roscoe B. Smith, late of Company I, Fifteenth Regiment Maine Volunteer Infantry, \$24.

Mate Fulkerson, widow of Alexander C. Fulkerson, late of Company A, Seventy-sixth Regiment Pennsylvania Volunteer Infantry, \$12.

Fred D. Bryan, late of Company C, Thirtieth Regiment Michigan Volunteer Infantry, \$24.

Ada M. Wade, widow of Charles O. Wade, late of Company I, Seventh Regiment Michigan Volunteer Infantry, and Companies I and L, Second Regiment Missouri Volunteer Cavalry, \$12.

Charlotte M. Snowball, widow of Edwin R. Snowball, late of Company C, Second Regiment California Volunteer Infantry, \$24: *Provided*, That in the event of the death of Franklin M. Snowball, helpless and dependent child of said Edwin R. Snowball, the additional pension herein granted shall cease and determine.

Albert White, late of Company H, Seventeenth Regiment United States Infantry, \$36.

William W. Lane, late of Company B, Thirty-fourth Regiment Iowa Volunteer Infantry, \$50.

Lydia M. Jacobs, widow of William H. Jacobs, late of Company G, Thirty-ninth Regiment Massachusetts Volunteer Infantry, \$12.

Albert Burgess, late of Company C, Seventeenth Regiment Illinois Volunteer Cavalry, \$30.

Rosa L. Couch, widow of Simon A. Couch, late first lieutenant Company D, Thirteenth Regiment Wisconsin Volunteer Infantry, \$20.

John Cook, alias Joseph Moore, late of Company C, Sixth Regiment New Hampshire Volunteer Infantry, \$36.

Amanda Barrett, former widow of Austin M. Kay, late of Company B, Ninth Regiment New Hampshire Volunteer Infantry, and Ninety-first Company, Second Battalion Veteran Reserve Corps, \$12.

Alvah S. Howes, late of Company H, Sixtieth Regiment New York Volunteer Infantry, \$50.

George C. Rider, late of Company G, Forty-fourth Regiment New York Volunteer Infantry, and Company G, Eighteenth Regiment New York Volunteer Cavalry, \$40.

Charles C. Littlefield, late of Company D, Forty-sixth Regiment Massachusetts Militia Infantry, \$30.

Martha Dye, widow of John H. Dye, late of Company H, Fourteenth Regiment, and Company M, Eighth Regiment Missouri State Militia Cavalry, \$20.

Carrie Hitchcock, widow of James W. Hitchcock, late captain Company K, Thirty-seventh Regiment Wisconsin Volunteer Infantry, \$20.

Sarah McLaury, widow of George S. McLaury, late of Company I, One hundred forty-fourth Regiment New York Volunteer Infantry, \$12.

William H. Frederick, late of Company F, First Regiment Ohio Volunteer Light Artillery, \$24.

Joseph D. Her, late of Company K, One hundred and thirty-first Regiment Ohio Volunteer Infantry, \$50.

Rodney S. Vaughan, late of Company A, Sixteenth Regiment New York Volunteer Cavalry, and Company C, Ninety-first Regiment New York Volunteer Infantry, \$30.

Isaac A. Sharp, late of Company G, Eighth Regiment Indiana Volunteer Infantry, \$24.

Turner S. Bailey, late of Company A, Third Regiment Iowa Volunteer Infantry, \$50.

Alpheus K. Rodgers, late of Company B, One hundred and forty-second Regiment Indiana Volunteer Infantry, \$30.

Christina Higgins, widow of Asa T. Higgins, late of Company B, Twenty-fourth Regiment Massachusetts Volunteer Infantry, \$20.

Josiah B. Hall, late of Company B, Fifty-seventh Regiment Massachusetts Volunteer Infantry, \$50.

Ellen Tyson, former widow of Almon B. Gardner, late of Company B, Forty-sixth Regiment Wisconsin Volunteer Infantry, \$12.

William Hoover, late of Company G, Fifth Regiment Minnesota Volunteer Infantry, \$30.

Abby E. Carpenter, widow of Charles A. Carpenter, late first lieutenant Company H, Twenty-ninth Regiment Massachusetts Volunteer Infantry, \$20.

Sarah Gross, widow of Henry S. Gross, late assistant surgeon, Twenty-sixth Regiment Pennsylvania Volunteer Infantry, \$20.

Nelson Taylor, late of Company K, One hundred and second Regiment Illinois Volunteer Infantry, \$30.

Carrie Crockett, widow of Hugh T. Crockett, late of Company A, Forty-sixth Regiment Indiana Volunteer Infantry, \$20.

Lucy H. Collins, widow of Oscar Collins, late of Company L, Third Regiment Ohio Volunteer Cavalry, \$20.

Royal H. Stevens, late of Company A, First Regiment Michigan Volunteer Infantry, and first lieutenant Company B, First Regiment Michigan Veteran Volunteer Infantry, \$30.

Araminta G. Sargent, widow of George G. Sargent, late of Company C, Seventy-fourth Regiment Ohio Volunteer Infantry, \$20.

Sidney P. Jones, late of Company B, Twelfth Regiment Indiana Volunteer Cavalry, \$30.

Ann T. Smith, widow of William W. Smith, late captain Company G, Twenty-fourth Regiment Iowa Volunteer Infantry, \$20.

Ellen E. Clark, widow of John Clark, late of Company I, Twenty-first Regiment Iowa Volunteer Infantry, and former widow of Joseph Kirk, late of Company B, One hundredth Regiment Pennsylvania Volunteer Infantry, \$12.

Sarah B. Paden, widow of Thomas F. Paden, late of Company A, Third Regiment Pennsylvania Volunteer Heavy Artillery, \$20.

Edmund P. Banning, late second lieutenant of Marines, U. S. S. *Pouchatan*, United States Navy, \$36.

Winchester E. Moore, late acting third assistant engineer, United States Navy, \$24.

Mary P. Pierce, widow of Edwin S. Pierce, late lieutenant colonel, Third Regiment Michigan Volunteer Infantry, \$24.

John B. Ladeau, late of Company D, First Regiment Vermont Volunteer Heavy Artillery, \$50.

Christopher P. Brown, late of Company D, Second Regiment Vermont Volunteer Infantry, \$50.

Allen Price, late of Company F, Tenth Regiment Tennessee Volunteer Infantry, \$24.

Delphine R. Burritt, widow of Loren Burritt, late major, Eighth Regiment United States Colored Volunteer Infantry, \$35.

Mr. McCUMBER. On page 20, in line 19, I move to strike out the word "him" and insert in lieu thereof the word "her." I have information, which has been filed since this item was considered, justifying me in asking that in line 20, page 20, the sum "\$35" should be stricken out and "\$40" inserted in lieu thereof; and in the same line the word "he" should be stricken out and the word "she" substituted.

The PRESIDING OFFICER. The amendments will be stated.

The SECRETARY. On page 20, line 19, it is proposed to strike out "him" and insert "her"; in line 20 to strike out "\$35" and insert "\$40"; and in the same line to strike out "he" and insert "she," so as to read:

The name of Delphine R. Burritt, widow of Loren Burritt, late major, Eighth Regiment United States Colored Volunteer Infantry, and pay her a pension at the rate of \$40 per month in lieu of that she is now receiving.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

The bill (S. 8035) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and of wars other than the Civil War, and to certain widows and dependent relatives of such soldiers and sailors, was considered as in Committee of the Whole. It proposes to pension the following persons at the rates per month stated:

Caroline M. Anthony, late nurse, Medical Department, United States Volunteers, War with Spain, \$12.

Arthur F. Shepherd, late of Company H, First Regiment Nebraska Volunteer Infantry, War with Spain, \$12.

Walter L. Donahue, late of Company I, Thirty-third Regiment Michigan Volunteer Infantry, War with Spain, \$12.

Calvin R. Lockhart, late of Company G, Twenty-third Regiment United States Infantry, \$16.

Albert J. Wallace, late of Company E, Tenth Regiment United States Infantry, War with Spain, \$12.

Thomas M. F. Delaney, late of Company G, Fourth Regiment Wisconsin Volunteer Infantry, War with Spain, \$24.

Joseph Hurd, late of Company G, First Regiment Maine Volunteer Infantry, War with Spain, \$12.

John D. Sullivan, late of Company F, Third Regiment United States Volunteer Engineers, War with Spain, \$46.

Mary E. Maher, widow of John A. Maher, late of Company D, First Regiment District of Columbia Volunteer Infantry, War with Spain, \$12 per month and \$2 per month additional on account of each of the minor children of the said John A. Maher until they reach the age of 16 years.

George W. James, late of Company E, Fourth Regiment United States Volunteer Infantry, War with Spain, \$12.

George G. Thirlby, late of Company M, Thirty-fourth Regiment Michigan Volunteer Infantry, War with Spain, \$24.

Lansing B. Nichols, late of Company C, First Regiment South Dakota Volunteer Infantry, War with Spain, \$20.

Jacob Korby, late of Company C, Thirty-sixth Regiment United States Volunteer Infantry, War with Spain, \$10.

John J. Ledford, late of Company F, Fourth Regiment Missouri Volunteer Infantry, War with Spain, \$24.

Deborah H. Riggs, widow of Ashley C. Riggs, late of Capt. James M. Morgan's company, Iowa Mounted Volunteers, War with Mexico, \$12.

Elmer E. Rose, late of Companies I and H, Twenty-third Regiment United States Infantry, War with Spain, \$12.

Cyrenius Mulkey, late of Capt. Bailey's Company A, Second Regiment Oregon Mounted Volunteers, \$16.

Patrick J. Whelan, late of Company E, First Regiment Connecticut Volunteer Infantry, War with Spain, \$17.

John F. Burton, late of Company B, Fifth Regiment Missouri Volunteer Infantry, War with Spain, \$16.

Ephraim W. Baughman, late of Capt. Nathan Olney's Company B, Oregon Volunteers, Oregon and Washington Territory Indian War, \$16.

James J. Blevins, late of Company B, Second Regiment Oregon Mounted Volunteers, Oregon and Washington Territory Indian war, \$16.

Henry H. Woodward, late of Capt. Chapman's Company I, Second Regiment Oregon Mounted Volunteers, Rogue River Indian war, \$16.

Bertie L. Wade, late of Company L, Twenty-second Regiment United States Infantry, \$30.

Charlotte R. Wynne, widow of James W. Wynne, late of Capt. Blackmore's company, First Regiment Tennessee Volunteer Infantry, War with Mexico, \$20.

Otto Weber, late of Company B, Sixteenth Regiment United States Infantry, War with Spain, \$16.

Carl W. Carlson, late of Company B, Third Regiment United States Volunteer Cavalry, War with Spain, \$20.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

JOSHUA H. HUTCHINSON.

The bill (H. R. 25515) for the relief of Joshua H. Hutchinson was considered as in Committee of the Whole. It authorizes the Secretary of the Interior to issue a patent to Joshua H. Hutchinson for the land embraced in his homestead entry, serial No. 02245, Susanville, Cal., for the east half of the southwest quarter and the west half of the southeast quarter of section 33, township 43 north, range 17 east, Mount Diablo meridian, upon submission of proof of residence upon and improvement and cultivation of the land as required by the homestead laws.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

HEIRS OF ANNA M. TORESON.

The bill (H. R. 22437) for the relief of the heirs of Anna M. Torson, deceased, was considered as in Committee of the Whole. It directs the Secretary of the Interior to restore to public entry a certain parcel of land in Modoc County, Susanville land district, State of California, and to issue therefor to the heirs of Anna M. Torson, deceased, a patent.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

TOWN SITES ON HARBORS, ETC.

The bill (S. 7294) to amend sections 2380 and 2381, Revised Statutes of the United States, was considered as in Committee of the Whole. It proposes to amend the sections referred to so as to read as follows:

SEC. 2380. The President is authorized to reserve from the public lands, whether surveyed or unsurveyed, town sites on the shores of harbors, at the junction of rivers, important portages, or any natural or prospective centers of population; also lands having a particular value for subdivision into villa sites at places suitable for resort by persons seeking pleasure, recreation, or health.

SEC. 2381. When, in the opinion of the President, the public interests require it, it shall be the duty of the Secretary of the Interior to cause any of such reservations or part thereof to be surveyed into urban, suburban, or villa lots of suitable size, and to fix by appraisal of disinterested persons their cash value, and to offer the same for sale at public outcry to the highest bidder, and thence afterwards the unsold lots to be held subject to sale at private entry according to such regulations as the Secretary of the Interior may prescribe; but no lot shall be disposed of at public sale or private entry for less than the appraised value thereof; and all such sales shall be conducted by the register and receiver of the land office in the district in which the reservations may be situated, in accordance with the instructions of the Commissioner of the General Land Office.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

FORT BIDWELL (CAL.) PEOPLE'S CHURCH ASSOCIATION.

The bill (H. R. 25878) granting certain lands for a cemetery to the Fort Bidwell People's Church Association, of the town of Fort Bidwell, State of California, and for other purposes, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

PETACA LAND GRANT, NEW MEXICO.

The bill (S. 7385) to relinquish the claim of the United States against the grantees, their legal representatives, and assigns, for timber cut on Petaca land grant, was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

NATIONAL AERODYNAMICAL LABORATORY.

The bill (S. 8053) to authorize the creation of a temporary commission to investigate and make recommendation as to the

necessity or desirability of establishing a national aerodynamical laboratory and prescribing the duties of said commission, and providing for the expenses thereof, was announced as next in order.

Mr. SMOOT. The Senator reporting this bill is not present. No doubt many Senators would like to ask the Senator questions in relation to the policy outlined in the bill. I therefore ask that it may go over.

The PRESIDING OFFICER. The bill goes over.

Mr. GALLINGER subsequently said: I was called from the Chamber when some bills were acted on. I wish to inquire what became of the bill (S. 8053) to authorize the creation of a temporary commission to investigate and make recommendation as to the necessity or desirability of establishing a national aerodynamical laboratory, and so forth?

The PRESIDING OFFICER. The bill went over under objection.

Mr. GALLINGER. I trust that the objection will be withdrawn. This is a very simple matter. The President has appointed a commission corresponding to commissions that almost every other country in the world has in existence, and it is only to be continued until the 4th day of March next. It is simply an appropriation of \$5,000, and I hope that the objection will be withdrawn.

Mr. SMOOT. I notice that the commission has already been appointed, and I also call to mind that there was an appropriation made in the appropriation act of \$5,000 for this particular purpose. I therefore withdraw my objection.

There being no objection, the bill was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

WATER SUPPLY OF COLORADO SPRINGS, ETC.

The bill (H. R. 23293) for the protection of the water supply of the city of Colorado Springs and the town of Manitou, Colo., was announced as next in order.

Mr. SMOOT. Personally I have no objection to this bill, but I know there are Senators who wish to be present when it is considered, and, as there are very few here now, I ask that it go over.

The PRESIDING OFFICER. The bill goes over.

OIL LANDS IN WYOMING.

The bill (S. 7746) to provide for agricultural entry of oil lands was considered as in Committee of the Whole.

The bill was reported from the Committee on Public Lands with amendments, on page 2, line 14, after the word "made," to insert "but shall receive the limited patent provided for in this act," and, on page 3, after line 2, to strike out: "Sec. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which entry is made and of this act the entryman shall be entitled to a patent to the land entered by him, which patent shall contain a reservation to the United States of all the oil and gas in the lands so patented, together with the right to prospect for, mine, and remove the same upon rendering compensation to the patentee for all damages that may be caused by prospecting for and removing such oil or gas. The reserved oil and gas deposits in such lands shall be disposed of only as shall be hereafter expressly directed by law," and insert: "Sec. 3. That upon satisfactory proof of full compliance with the provisions of the laws under which entry, selection, or location is made, and of this act, the applicant shall be entitled to a patent or certification to the lands entered or selected, with a reservation to the United States of all the oil or gas in the lands so patented or certified, together with the right, in the United States or persons authorized by it, to prospect for, mine, and remove the same; but before any person shall be entitled to enter upon the lands patented or certified for the purpose of prospecting, mining, or removing oil or gas therefrom, he shall furnish, subject to approval by the Secretary of the Interior, a bond or undertaking as security for the payment of all damages to the crops and improvements on said lands by reason of such prospecting for and removal of oil or gas. The reserved oil and gas deposits in lands patented or certified under this act shall not be subject to exploration or entry, other than by the United States, except as hereinafter authorized by Congress," so as to make the bill read:

Be it enacted, etc., That from and after the passage of this act unreserved public lands of the United States in the State of Wyoming, which have been withdrawn or classified as oil lands, or are valuable for oil, shall be subject to appropriate entry under the homestead laws by actual settlers only, the desert-land law, to selection by the State

of Wyoming under grants made by Congress and under section 4 of the act approved August 18, 1894, known as the Carey Act, and to withdrawal under the act approved June 17, 1902, known as the reclamation act, and to disposition in the discretion of the Secretary of the Interior under the law providing for the sale of isolated or disconnected tracts of public lands, whenever such entry, selection, or withdrawal shall be made with a view of obtaining or passing title, with a reservation to the United States of the oil and gas in such lands and of the right to prospect for, mine, and remove the same. But no desert entry made under the provisions of this act shall contain more than 160 acres: *Provided*, That those who have initiated nonmineral entries, selections, or locations in good faith, prior to the passage of this act, on lands withdrawn or classified as oil lands, may perfect the same under the provisions of the laws under which said entries were made, but shall receive the limited patent provided for in this act.

SEC. 2. That any person desiring to make entry under the homestead laws or the desert-land law, and the State of Wyoming desiring to make selection under section 4 of the act of August 18, 1894, known as the Carey Act, or under grants made by Congress, and the Secretary of the Interior in withdrawing under the reclamation act lands classified as oil lands, or valuable for oil, with a view of securing or passing title to the same in accordance with the provisions of said acts, shall state in the application for entry, selection, or notice of withdrawal that the same is made in accordance with and subject to the provisions and reservations of this act.

SEC. 3. That upon satisfactory proof of full compliance with the provisions of the laws, etc.

The amendments were agreed to.

The bill was reported to the Senate as amended and the amendments were concurred in.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

CERTAIN LANDS IN NEVADA.

The bill (S. 4994) to authorize the inclosure of certain lands in the State of Nevada containing dangerous quagmires was announced as next in order.

Mr. SMOOT. Let that bill go over.

The PRESIDING OFFICER. The bill goes over.

IMMIGRANT STATIONS.

The bill (H. R. 21220) to extend the power of the Commissioner of Immigration, subject to the approval of the Secretary of Commerce and Labor, was considered as in Committee of the Whole.

The bill was reported from the Committee on Immigration with amendments, on page 1, line 3, after the word "That," to insert "for the purpose of making effective"; on page 2, line 1, after the word "seven," to strike out "shall be, and the same is hereby, extended to the supervision of the transportation of aliens to their respective places of destination in the interior of the United States, and of their safe conduct upon arrival at such places, and the Secretary of Commerce and Labor may establish stations for the purpose of such supervision within the limits of the amount that may be appropriated for that purpose and subject to the terms and conditions of the act making such appropriations" and insert "the Secretary of Commerce and Labor shall establish and maintain immigrant stations at such interior places as may be necessary, and, in the discretion of the said Secretary, aliens in transit from ports of landing to such interior stations shall be accompanied by immigrant inspectors"; in line 20, after the words "nineteen hundred and," to strike out "thirteen" and insert "fourteen"; and at the top of page 3, to strike out "Sec. 3. That for succeeding years estimates of the appropriations necessary for the service hereby established shall be included in the estimates for the Immigration Service annually submitted to Congress," so as to make the bill read:

Be it enacted, etc., That for the purpose of making effective the power of establishing rules and regulations for protecting the United States and aliens migrating thereto from fraud and loss, conferred upon the Commissioner General of Immigration, subject to the direction and with the approval of the Secretary of Commerce and Labor, by section 22 of an act entitled "An act to regulate the immigration of aliens into the United States," approved February 20, 1907, the Secretary of Commerce and Labor shall establish and maintain immigrant stations at such interior places as may be necessary, and, in the discretion of the said Secretary, aliens in transit from ports of landing to such interior stations shall be accompanied by immigrant inspectors: *Provided*, That nothing in this act shall be construed as authorizing the Commissioner General of Immigration to pay the cost of transportation of any arriving alien.

SEC. 2. That for the establishment and maintenance of such a station in the city of Chicago for the fiscal year ending June 30, 1914, there is hereby authorized, from moneys in the Treasury not otherwise appropriated, the sum of \$75,000, which shall be expended in such manner consistent with the purpose hereof as the Secretary of Commerce and Labor may direct.

The amendments were agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed and the bill to be read a third time.

The bill was read the third time and passed.

NEW JERSEY AND NEW YORK HARBOR LINE COMMISSION.

The joint resolution (H. J. Res. 210) authorizing the President to appoint a member of the New Jersey and New York Joint Harbor Line Commission, was considered as in Committee of the Whole.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

Mr. LODGE. I move to strike out the preamble.

Mr. SMOOT. Let it be stricken out.

The PRESIDING OFFICER. Without objection, the preamble will be stricken out.

THEODORE N. GATES.

The bill (H. R. 3769) for the relief of Theodore N. Gates was considered as in Committee of the Whole. It provides that in the administration of the pension laws Theodore N. Gates, late of Company K, Twenty-fifth Regiment Massachusetts Volunteer Infantry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said company and regiment on the 29th day of September, 1863, but no pension shall accrue prior to the passage of this act.

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

COOPER RIVER (S. C.) BRIDGE, ETC.

The bill (S. 7792) authorizing James Sottile, his heirs and assigns, to construct, maintain, and operate a bridge and approaches thereto across Cooper River, Charleston County, S. C., and also a bridge and approaches thereto across Shem Creek, Charleston County, S. C., was considered as in Committee of the Whole.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

RESTORATION OF LANDS TO PUBLIC DOMAIN.

The bill (S. 5859) to amend section 3 of an act entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1902, and for other purposes," approved March 3, 1901 (31 Stat. L., 1133), was considered as in Committee of the Whole. It proposes to amend section 3 of the act of Congress approved March 3, 1901 (31 Stat. L., 1133), so as to read:

That section 4 of the act of August 18, 1894, entitled "An act making appropriations for sundry civil expenses of the Government for the fiscal year ending June 30, 1895, and for other purposes, be, and the same is hereby, amended so that the 10-year period within which any State shall cause the lands applied for under said act to be irrigated and reclaimed, as provided in said section, as amended by the act of June 11, 1896, shall begin to run from the date of approval by the Secretary of the Interior of the State's application for the segregation of such lands; and if actual construction of reclamation works is not begun within three years after the segregation of the lands or within such further period not exceeding two additional years as shall be allowed by the Secretary of the Interior in his discretion, the said Secretary of the Interior may restore such lands to the public domain; and if the whole or any portion of the lands so segregated shall not be so irrigated and reclaimed within 10 years after the date of such segregation or within such further period as the Secretary of the Interior may, in his discretion, upon good cause shown, allow, not exceeding five additional years, the Secretary of the Interior may restore such lands or such part thereof to the public domain.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

LANDS IN IMPERIAL COUNTY, CAL.

The bill (S. 6506) authorizing the State of California to select public lands in lieu of certain lands granted to it in Imperial County, Cal., was considered as in Committee of the Whole. It provides that the State of California, or its grantees, may, with the approval of the Secretary of the Interior, reconvey to the United States any of the lands heretofore granted to that State in the townships authorized to be resurveyed by the act of July 1, 1902 (32 Stat. L., p. 728), and select in lieu thereof an equal amount of vacant, unappropriated, surveyed, unreserved, nonmineral public lands within the State. But any application to select land under this act must be presented within three years from the date of its passage.

The bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

SIMON NAGER.

The bill (H. R. 18425) to remove the charge of desertion from the military record of Simon Nager was considered as in Committee of the Whole.

The bill was reported from the Committee on Military Affairs with an amendment, to strike out all after the enacting clause and to insert:

That in the administration of the pension laws and the laws governing the National Home for Disabled Volunteer Soldiers, or any branch thereof, Simon Nager, who was a member of Company A, First Regiment United States Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as of said organization on the 1st day of May, 1864: *Provided*, That no pension or other emolument shall accrue or become payable prior to the passage of this act.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendment was concurred in.

The amendment was ordered to be engrossed, and the bill to be read a third time, was read the third time, and passed.

The title was amended so as to read: "An act for the relief of Simon Nager."

GASOLINE MOTORS FOR LIFEBOATS.

The bill (H. R. 23001) to amend section 4472 of the Revised Statutes of the United States, relating to the carrying of dangerous articles on passenger steamers, was considered as in Committee of the Whole. It proposes to further amend section 4472 of the Revised Statutes of the United States, as amended by the act of March 3, 1905, and by the act of May 28, 1906, by substituting a colon for the period at the end of said section as amended and adding thereto the following proviso: "*Provided further*, That nothing in the foregoing or following sections of this act shall prohibit the use, by steam vessels carrying passengers for hire, of lifeboats equipped with gasoline motors, and tanks containing gasoline for the operation of said motor-driven lifeboats: *Provided, however*, That no gasoline shall be carried other than that in the tanks of the lifeboats: *Provided further*, That the use of such lifeboats equipped with gasoline motors shall be under such regulations as shall be prescribed by the board of supervising inspectors with the approval of the Secretary of Commerce and Labor."

The bill was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONDEMNED CANNON FOR ARMY AND NAVY UNION.

The joint resolution (H. J. Res. 239) authorizing the Secretary of War to deliver a condemned cannon to the Army and Navy Union, United States of America, was considered as in Committee of the Whole. It authorizes the Secretary of War to deliver to the order of Charles H. Baxter, first vice president of the Army and Navy Union, United States of America, one dismounted bronze cannon used in the Civil War, to be used by the Army and Navy Union for the purpose of furnishing official badges of the order; but no expense shall be caused to the United States through the delivery of the condemned cannon.

The joint resolution was reported to the Senate without amendment, ordered to a third reading, read the third time, and passed.

CONTRACTORS FOR BUILDING OF BATTLESHIP INDIANA.

Mr. CRAWFORD. Having closed the calendar under Rule VIII, I move that the Senate now take up the bill (S. 4840) to carry into effect the judgment of the Court of Claims in favor of the contractors for building the U. S. battleship *Indiana*, that the report made by the Committee on Claims adversely be adopted, and the bill be indefinitely postponed.

Mr. SMOOT. Evidently there is not a quorum here.

Mr. CRAWFORD. We will have one, then. I suggest the absence of a quorum. I am not going to be played with on this bill. I will say to the Senator from Utah.

Mr. SMOOT. If the Senator will just wait a minute—

Mr. CRAWFORD. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The Senator from South Dakota suggests the absence of a quorum, and the roll will be called.

The Secretary called the roll, and the following Senators answered to their names:

Ashurst	du Pont	Myers	Root
Bourne	Gallinger	Nelson	Sanders
Brandeggee	Gardner	Oliver	Shively
Bristow	Lodge	Page	Simmons
Catron	McCumber	Perkins	Smoot
Chilton	Martin, Va.	Perky	
Clapp	Martine, N. J.	Pomerene	

The PRESIDING OFFICER. Twenty-six Senators have answered to their names. There is not a quorum present.

Mr. LODGE. I move that the Senate adjourn.

The motion was agreed to; and (at 3 o'clock and 58 minutes p. m.) the Senate adjourned until Monday, January 20, 1913, at 12 o'clock m.

HOUSE OF REPRESENTATIVES.

SATURDAY, January 18, 1913.

The House met at 12 o'clock noon.

Rev. Earle Wilfey, pastor of the Vermont Avenue Christian Church, Washington, D. C., offered the following prayer:

Almighty and most merciful God, in whose hands are all things, we bow in Thy presence this morning, weak and needy, and ask Thee to supply all our needs. We pray Thee that Thou wilt direct us in thought and deed and help us to do this day some worthy thing. And to Thee shall be all the praise. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Crockett, one of its clerks, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested:

S. 8092. An act granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission, in so far as the United States is concerned, to occupy for a right of way for its railroad track a certain piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah;

S. 7639. An act to provide for the erection of a public building in the city of Bay City, in the State of Texas;

S. 3859. An act for the relief of Jacob M. Cooper;

S. 5861. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof;

S. 5378. An act releasing the claim of the United States Government to that portion of land, being a fractional block, bounded on the north and east by Bayou Cadet, on the west by Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola;

S. 5379. An act granting certain lands of the diminished Colville Indian Reservation in the State of Washington to the Washington Historical Society;

S. 7785. An act confirming titles of Deborah A. Griffin and Mary J. Griffin, and for other purposes; and

S. 5377. An act releasing the claim of the United States Government to lot No. 306, in the old city of Pensacola.

The message also announced that the Senate had passed without amendment bill of the following title:

H. R. 22010. An act to amend the license law approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire.

The message also announced that the Senate had passed with amendment bill of the following title, in which the concurrence of the House of Representatives was requested:

H. R. 8619. An act to amend an act entitled "An act to regulate the practice of pharmacy and the sale of poisons in the District of Columbia, and for other purposes," approved May 7, 1906.

SENATE BILLS REFERRED.

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 8092. An act granting to the Emigration Canon Railroad Co., a corporation of the State of Utah, permission, in so far as the United States is concerned, to occupy for a right of way for its railroad track a certain piece of land now included in the Mount Olivet Cemetery, Salt Lake County, Utah; to the Committee on the Public Lands.

S. 7639. An act to provide for the erection of a public building in the city of Bay City, in the State of Texas; to the Committee on Public Buildings and Grounds.

S. 3859. An act for the relief of Jacob M. Cooper; to the Committee on Military Affairs.

S. 5861. An act to enjoin and abate houses of lewdness, assignation, and prostitution; to declare the same to be nuisances; to enjoin the person or persons who conduct or maintain the same and the owner or agent of any building used for such purpose; and to assess a tax against the person maintaining said nuisance and against the building and owner thereof; to the Committee on the District of Columbia.

S. 5378. An act releasing the claim of the United States Government to that portion of land, being a fractional block, bounded on the north and east by Bayou Cadet, on the west by

Cevallos Street, and on the south by Intendencia Street, in the old city of Pensacola; to the Committee on the Public Lands.

S. 5379. An act granting certain lands of the diminished Colville Indian Reservation, in the State of Washington, to the Washington Historical Society; to the Committee on Indian Affairs.

S. 7785. An act confirming titles of Deborah A. Griffin and Mary J. Griffin, and for other purposes; to the Committee on the Public Lands.

S. 5377. An act releasing the claim of the United States Government to lot No. 306 in the old city of Pensacola; to the Committee on the Public Lands.

THE LATE GEORGE H. UTTER, REPRESENTATIVE FROM RHODE ISLAND.

Mr. O'SHAUNESSY. Mr. Speaker, I ask unanimous consent for the consideration of the order which I send to the Clerk's desk.

The SPEAKER. The Clerk will report the order.

The Clerk read as follows:

Mr. O'SHAUNESSY introduced the following order: "Ordered, That Sunday, the 9th day of February, 1913, be set apart for addresses on the life, character, and public services of Hon. GEORGE H. UTTER, late a Representative from the State of Rhode Island."

The SPEAKER. Is there objection to the present consideration of this order? [After a pause.] The Chair hears none. The question is on agreeing to the order.

The order was agreed to.

ARMY APPROPRIATION BILL.

Mr. HAY. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 27941, the Army appropriation bill.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 27941, the Army appropriation bill, with Mr. SAUNDERS in the chair.

The CHAIRMAN. The Committee of the Whole House on the state of the Union is in session for the further consideration of the bill H. R. 27941. The Clerk will read.

The Clerk read as follows:

For three months' additional pay to enlisted men reenlisting within the period of three months from date of discharge from first enlistment, \$200,000.

Mr. ESCH. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Wisconsin [Mr. ESCH] moves to strike out the last word.

Mr. ESCH. I notice that about this same sum was carried in the last appropriation bill. In the appropriation bill for 1911 the amount was \$247,000. I wish to inquire whether that indicates a less number of reenlistments, notwithstanding this inducement of three months' extra pay.

Mr. HAY. I suppose it does. This is the sum asked for by the War Department.

Mr. ESCH. The hearings give no explanation of the item?

Mr. HAY. No. We did not inquire whether more men were reenlisting than had been doing so before.

Mr. ESCH. The department considers it a wise policy to continue this bonus for reenlistment?

Mr. HAY. I think so. It is part of the law that increased the pay of enlisted men—the act of May, 1908—and it has to be provided for.

Mr. ESCH. I understand the law makes it compulsory?

Mr. HAY. Yes.

Mr. ESCH. I was wondering as to the general effect of the law.

Mr. HAY. I understand from the officers that they regard it as important as serving to induce men to reenlist.

Mr. ESCH. Mr. Chairman, I withdraw the pro forma amendment.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

For six months' additional pay to beneficiaries of officers and enlisted men who die while in active service from wounds or disease not the result of their own misconduct, \$60,000.

Mr. COX. Mr. Chairman, I move to strike out the last word. I would like to ask the chairman of the committee in charge of this bill what class of relatives are next of kin; in other words, to whom is this paid—to the wives and mothers and fathers, or does it go down the line to brothers and sisters?

Mr. HAY. I will say to the gentleman that the law provides that the officer or soldier shall designate to whom this shall be paid.

Mr. COX. When he enlists?

Mr. HAY. Yes; when he enlists, and it is paid accordingly. I take it that it is paid either to the wife, mother, father, sister, or brother.

Mr. COX. To no one any further removed than those degrees of kinship?

Mr. HAY. I think not. The soldier is allowed to designate the person.

Mr. COX. What is the law to which the gentleman refers? I had an inquiry from one of my constituents about that recently.

Mr. HAY. It was passed on an appropriation bill several years ago.

Mr. COX. It is permanent law, is it?

Mr. HAY. Yes.

Mr. SLAYDEN. If the gentleman will look in the compilation of military laws, which he can get in three minutes, he can find it by reference to the index.

Mr. COX. I withdraw the pro forma amendment.

The Clerk read as follows:

For Porto Rico Regiment of Infantry, composed of two battalions of four companies each:

Pay of officers, \$65,100.

For additional pay for length of service, \$9,860.05.

Pay of enlisted men, \$134,052.

Additional pay for length of service, \$30,220.12.

Mr. ANTHONY. Mr. Chairman, I move to strike out the last word. I want to make a suggestion in regard to this item which covers the appropriation for the Porto Rico Regiment of Infantry, and to mention some legislation which, while it should not be considered at this time, will soon be necessary for this regiment, and something of the kind may soon be recommended to us by the War Department.

I recently had the pleasure of spending two weeks in the island of Porto Rico, and one of the things that struck me most favorably was the fact that we have down there a regiment of native Porto Ricans, organized into the military service of the United States, which is equal in point of appearance and evident soldierly qualities to any Infantry regiment I have ever seen in the United States service.

The work of bringing this regiment to its present state of efficiency has been done by American officers who were sent down there shortly after the Spanish War with the rank of captain. They have done their work faithfully and well, but these officers are unfortunately situated. Under the present law they can never hope to secure further advancement or promotion in the United States Army, although they are doing work similar to that which the other officers of similar rank and of no greater ability in the other regiments of the Army are doing.

The remedy that I propose is that the Porto Rico Regiment of Infantry shall be known as the Thirty-first Regiment of United States Infantry; that its regular complement of officers shall be placed upon the lineal list of the officers of the United States Army, the same as other officers of the Army; and that they shall have the same advantages of promotion and advancement. It would be only the fair and just thing to do, or at least the officers of the Porto Rico Regiment should have the opportunity of promotion to be field officers of their regiment instead of detailing field officers from other regiments, as is now the case.

When this regiment was organized we thought it was to be a temporary affair. We thought we were going to use it for a few years only, but Porto Rico is American territory. It will always be a part of the United States, and therefore the Porto Rico Regiment of Infantry should be known no longer as the Porto Rico Regiment, but as the Thirty-first Regiment of Infantry of the United States Army. The regiment should not be considered as local militia, but should in every respect be incorporated in our regular military establishment.

Mr. MANN. Why is the appropriation for this regiment less than the current law? What is the occasion for reducing it?

Mr. ANTHONY. I did not notice that there was any reduction.

Mr. MANN. There is a slight reduction in the pay of officers and a reduction of nearly \$5,000 in the pay of enlisted men.

Mr. HAY. I will state to the gentleman that the reduction in the pay of officers is only \$600, and the committee appropriated what was estimated for by the department.

Mr. MANN. I am not criticizing the committee in any way. I am just asking for information.

Mr. HAY. I understand that.

Mr. MANN. The pay of officers is reduced \$600, and the appropriation for enlisted men is reduced \$4,908.

Mr. HAY. I can only state that it was computed upon the number of officers, with their rank, and the number of enlisted men whom they expect to have during the fiscal year 1914.

Mr. MANN. I apprehended that was true, and I wondered whether there was any reduction in the rank of the officers, or any proposed reduction in the number of men, in view of the statements of the gentleman from Kansas [Mr. ANTHONY].

Mr. HAY. To be frank with the gentleman, I do not know why the department made the estimate.

Mr. MANN. The gentleman's explanation is entirely satisfactory under the circumstances.

Mr. ANTHONY. Mr. Chairman, I want to say one word.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

Mr. ANTHONY. I ask for two minutes more.

The CHAIRMAN. The gentleman asks unanimous consent for two minutes more. Is there objection?

There was no objection.

Mr. ANTHONY. I want to say one word more in regard to the native officers of this regiment. They are a particularly fine body of men. There are 16 or 17 of them, I think. Every one of them is a graduate either of a college in the United States or a college in Spain or South America.

They are an unusually well-equipped lot of men, and there is every reason why we should admit them into the United States Army fully and let them take their places in the lineal list of officers. They will rank up fully with American officers of a similar rank in the Army, and I hope at no distant day the legislation I suggest will be adopted.

Mr. MANN. Will the gentleman yield?

Mr. ANTHONY. Certainly.

Mr. MANN. Are these officers now Porto Rico men?

Mr. ANTHONY. The captains of the eight companies are American officers sent there in 1899. The lieutenants are native Porto Ricans. The field officers, lieutenant colonels, and two majors are from our regular service detailed there.

Mr. MANN. Do these lieutenants have any opportunity of promotion?

Mr. ANTHONY. Absolutely none, except to be first lieutenants. They have no chance to become captains even.

Mr. MANN. If they were covered into the regular service they would have no chance of appointment.

Mr. ANTHONY. Yes; then this regiment would become fully a part of the Regular Army.

Mr. SLAYDEN. Mr. Chairman, it happens that within the last two or three days I have received a letter which is now lying on my desk from a former Commissioner of Porto Rico, Tulio Larrinaga, in which he protests against this suggestion of my friend from Kansas, for whose judgment in military matters I have a profound respect. It shows that a different opinion exists in the islands among the Porto Ricans themselves. Since I have been on my feet I learn that the gentleman does not propose to submit an amendment, but I suggest to the gentleman that legislation of this kind should be deferred until the other side of the question can be heard. The Porto Ricans, according to former Commissioner Larrinaga, want to maintain the regiment as it is, preserve its identity as a Porto Rican regiment.

Mr. ANTHONY. To give them the opportunity for promotion is only doing an act of simple justice to these eight captains who went down there 12 years ago and who have been in the same rank ever since.

Mr. SLAYDEN. Are they commissioned officers of the Regular Army?

Mr. ANTHONY. They were mostly appointed from the Volunteer Army during the War with Spain.

Mr. SLAYDEN. It would be increasing the number of officers in the Army?

Mr. ANTHONY. No; the Porto Rican regiment is now really a part of the Army.

The CHAIRMAN. The time of the gentleman from Kansas has expired.

The Clerk read as follows:

PHILIPPINE SCOUTS.

For pay of officers: For 52 captains, \$124,800.

Mr. DIES. Mr. Chairman, I move to strike out the last word. I do not want to trespass on the House with an academic discussion even for five minutes, but I just want to make an observation. The standing Army of the United States in 1872, a few years after the close of the Civil War, was about 25,000, including officers and enlisted men. So recently as Cleveland's last administration, in 1894, the standing Army was less than 25,000 men. I believe the chairman of the committee stated a few days ago that the standing Army at the present time is about 90,000. I know, Mr. Chairman, of no reason either in the history of the world or the history of this country that our standing Army should have increased, unless it was the acquisition of the Philippine Islands.

It has been the policy and the genius of this Republic from the age of its foundation to maintain a very small standing Army. The only excuse for a standing Army in the first periods

of the Republic was to afford a guard for the frontiers against Indian marauders. But for the ownership of the Philippine Islands there is practically no excuse at this hour why this Government should maintain a large standing Army.

On the north we are bounded by Canada, a peaceful people similar to ours and much weaker in strength than we. On the other side, to the south, we are bounded by Mexico, a helpless Republic, that never could jeopardize the liberty of this country. On the east we are bounded by the Atlantic and on the west by the Pacific.

So that this people, if God ever gave a country to a race of any kind of people to protect their liberty without a standing Army, and without the burden of great taxes to maintain them, this is the spot and these are the people to enjoy that great blessing.

Of course, it is idle to say that we maintain an Army against European invasion. I see, Mr. Chairman, the philosophy of a large standing German army, I see the philosophy of a great standing army in France, where a day's journey can bring them at each other's throats. But in this Republic, separated by high seas, separated by those natural and impassable barriers that make us immune against encroachment of foreign lands, there is absolutely no excuse for 100,000 soldiers in this Republic to be supported by the taxes of the people.

The gentleman from Virginia [Mr. HAY] the other day said he was proud of our Army. So am I. Wherever an American army, whether in foreign war or in civil contest, has been marshaled upon a field of battle it has given a glorious account of American manhood and American valor. But I do not want an army for which we have no use at all. Armies are either for defensive purposes or offensive purposes.

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. DIES. Mr. Chairman, I ask unanimous consent to proceed for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. DIES. Certainly, Mr. Chairman, there can be no excuse for a standing army for defensive purposes. Surely this magnificent Republic, with all its wealth, with all of its patriotic millions of people, is safe against encroachment from foreign lands where armies must be assembled by passage over the seas. Then, unless it is sought to build up a standing army for offensive purposes, these hundreds of millions of the people's money might as well be left in the people's pockets. Every great writer who has discussed the probability of the success of this Republic, whether it has been the first writers along that line or more recent ones, has based a prophecy that this Republic, based upon the theory of the consent of the governed, should exist and succeed because of its isolated location. The fall of the republics of ancient times is traceable to the fact that their situation required great armies and armaments, and that the Man on Horseback came, as a result, to destroy the liberties of the people.

God has placed us upon this great, rich continent, separate and secure from the broils and wars of Europe. Mr. Chairman, with all due respect and reverence to and for that great Admiral who secured the victory of Manila Bay, I think he did the saddest day's work ever done for this Republic when he gave us possession of a territory which our public men say we can not turn loose. [Applause.] We have all the land that we need. We have this beautiful spot segregated from the world, and under the providence of God and the Constitution of this Republic we might work out our destiny, based upon the theory of the consent of the governed; but instead of that, short-sighted politics, short-sighted statesmen, men who either do not know or do not care about the lessons of history, are constantly embroiling this Nation in an attempted acquisition and acquisition of territory that is not contiguous to this Republic. It means a standing Army. The Army of practically 100,000 to-day will grow. In a few years it has grown from 25,000 to 90,000. In a few years more it will be 125,000 or 150,000, to be supported by the people who need no offensive operations and whose geographical situation makes them secure and makes it unnecessary for defensive operations.

Mr. Chairman, I wish that the old genius of this Republic would return. I wish that its spirit would hover over the destiny of this Nation, that we might return to the old simple days of a Republic for the people and that we might get rid of this modern appendage of democracy, namely, colonial possessions. [Applause.]

Mr. CANNON. Mr. Speaker, I move the pro forma amendment. Under present conditions I apprehend the pending Army appropriation bill has been well made, and I do not rise for the purpose of criticizing it. I am not in harmony with the re-

marks of the gentleman from Texas [Mr. DIES], who has just taken his seat, although I have a very sincere respect for him personally. I am not in harmony with the position taken by the Democratic Party in its platform and in speeches made in the House touching a proper policy for the great Republic. I am not in harmony with the outgivings of the President elect touching the Philippine Islands. I am not in harmony with the outgivings of your great leader, William Jennings Bryan, who is more responsible for the Philippines and our ownership of them than any man, living or dead, because it was the "peerless leader" who came to Washington and by his influence furnished the Democratic votes in the Senate that ratified the treaty of Paris by which we obtained the Philippines.

Mr. GARRETT. Mr. Chairman, will the gentleman yield?

Mr. CANNON. One moment. I can not yield during a five-minute speech. If I had a little more time, if desired, I would very cheerfully yield to a question.

Then we had the issue of imperialism when Mr. Bryan was a candidate in 1900. Mr. Chairman, we have the Philippines, and the position of the Democratic Party, including Mr. Bryan, and of the President elect, in my judgment will lead to the loss of tens of thousands of men belonging to the Army and Navy, and to hundreds of millions of treasure.

Oh, gentlemen, we have got the Philippines, and the American people, when they come to consider the question, are not going to forsake their duty to the Philippines. As I said once before, you can no more get rid of them, in my opinion, than Hercules could get rid of the shirt of Nessus, and you will find that public sentiment will not let you forsake them. However much in the future it will cost the country in treasure and blood to perform our duty toward those islands, in the fullness of time I think our possession of the Philippines will be worth all they may cost, although we may all be dead before the problem is solved. You may ask, Are we going to keep the Philippines and oppress them? No; but whenever the people of that great archipelago, with different languages and different religions and no religion, become competent for self-government, by that time they will not want to sever their relations with this great Republic. We have now a Regular Army of 80,000, or possibly a little more, and, with the great expenditure for fortifications, with the Monroe doctrine to maintain, with the Panama Canal to protect and defend, with almost 100,000,000 people, I would not have an Army less in number than it is now, and I would increase the Army from time to time as necessity and prudence may require.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GARRETT. Mr. Chairman, I ask unanimous consent that the gentleman's time may be extended for five minutes.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent that the time of the gentleman may be extended for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. CANNON. I am quite in harmony with those who advocate a liberal policy touching the expenditures in connection with the militia, and I stand ready to vote, when given an opportunity, for larger appropriations that we may have young men of this and the oncoming generations enlisted in the service of the United States—in the meantime remaining in civil life—ready as trained soldiers to enter the active service when the national defense might require.

Mr. Chairman, if we had had at the time of the War with Spain 100,000 well-trained men in the Regular Army, it would not have been necessary for us to have called upon the citizen soldiery, which volunteered in great numbers, for that contest. It takes a volunteer citizen soldier on the average at least six months to become well trained for efficient service. In the meantime disease and death incapacitate and destroy greater numbers than six months of active service in actual warfare after they are trained. If there had been 100,000 young men in the United States ready for active service, already organized, subject to call, the loss of life and expense would have been very small in comparison with the actual expense and loss, saying nothing of the expense to result in the coming 50 years.

Mr. Chairman, we have our responsibility down on the borderland on the south, with Mexico and the South American Republics. God knows we do not want them to enlarge our boundary in that direction. My friend from Texas [Mr. DIES] does not want Mexico. Nay, nay, but, gentleman, we have got to abandon the Monroe doctrine; we have got to play a happy-go-lucky game and take all things for granted or we have got to realize the obligation that the present and future brings to us. Therefore I am entirely in sympathy with the effort to provide an adequate Navy. I have voted for battleships, and I stand ready to vote for the men and munitions to supply the Navy, and I stand ready—

Mr. GARNER. Will the gentleman yield?

Mr. CANNON. In a moment. I stand ready to vote for more supplies, powder, and mobile artillery, because we may have ever so many men ready and willing to serve the Republic, but unless we are prepared with material as well as men we are powerless and liable to be knocked out before we can get a good start. Now I will yield to the gentleman from Texas.

Mr. GARNER. The gentleman is soon to leave this Chamber, and I believe it is well known that a certain element of the people of this country have great respect for his views, and I would like for him to take the time to define his version of the Monroe doctrine at this time that it may go into the Record. There are various opinions as to what the Monroe doctrine means, and I would like to know what the gentleman's version is.

The CHAIRMAN. The time of the gentleman has expired.

Mr. BUCHANAN. Mr. Chairman, I ask unanimous consent that the time of the gentleman be extended for five minutes.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. CANNON. The Monroe doctrine is pretty well defined. Under that doctrine it is our duty to see that no Old World nations shall establish governments, as I understand, upon this continent. We had a fair illustration of it when in the great stress of the Civil War a combination was made in Europe to place Maximilian upon the throne of Mexico. A protest was made against that action, but our hands were full with that great internecine contest. When it ceased, however, the Confederate soldier and Union soldier stood ready, backed by the sentiment of all parts of this country, to throw Maximilian into the sea. [Applause.] A portion of our troops went down toward the border; but the old leader, Juarez, was able to do that job himself without any soldier of the United States placing foot upon the soil of Mexico.

Our domestic relations have kept me so busy in my almost 40 years of service in this House that it is difficult for me to be accurate in an offhand talk of five minutes in matters affecting our foreign relations. Questions affecting the Monroe doctrine will be worked out from the standpoint of self-protection in the performance of our duty upon this continent, in South America and North America, and in the islands of the Caribbean, but not for conquest or the acquirement of territory.

Now, the gentleman has said that I am soon to retire from this House. That is true, and there is no personal regret in my heart at going. True, I did not ask for the leave of absence [laughter], but I feel a little different about it now than I did 22 years ago, when I was granted a leave of absence for two years for which I did not ask. I have gotten to be a pretty old man, but I feel as well as I ever did in my life. [Loud applause.] I am going home to Danville and remain with the people who have honored me with 19 indorsements, covering a period of almost 40 years, and if perchance I should never appear in public life again during the remainder of my life, I am going to perform as one man, as one voter, my duties as one of the sovereigns of the United States [applause] in advocating those policies that I believe will tend to secure the well-being of our country. The great citizenship of the Republic, both Democrats and Republicans, at heart believe in a representative democracy under the Constitution of the United States, and will maintain the same, and these are the only reliable party organizations in the country. [Applause.]

I do not fear for the perpetuity of the Republic. In the past we have made mistakes that involved great penalties, but we have paid the penalty; and in the future we will make mistakes and will pay the penalty.

I am a partisan Republican because I believe in the economic policies of that party; but I trust I am also a patriotic American citizen, as I grant that you all are.

By a constitutional majority you have been clothed with and will soon assume complete power, and that involves full responsibility. You have been successful as critics, but you must now take up the burden of construction and maintenance. If under your policies and administration the country prospers, then you will deserve to continue in power. I desire that you shall succeed, but I can not hope that you will, for hope consists of a combination of desire and expectation. If your policies fail to enable the people to maintain their present condition, then at the next opportunity they will repudiate you. The proof of the pudding is the eating of it, and I, in common with all the people, await results.

The CHAIRMAN. The Clerk will read:

The Clerk read as follows:

All the money hereinbefore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage of officers, dental surgeons, contract surgeons, veterinarians, pay clerks, and expert accountant Inspector General's Department, when authorized by law,

shall be disbursed and accounted for by officers of the Quartermaster Corps as pay of the Army, and for that purpose shall constitute one fund: *Provided*, That hereafter section 3620, Revised Statutes, as amended by the act of Congress approved February 27, 1877, shall not be construed as precluding Army paymasters from drawing checks in favor of the person or institution designated by indorsement made on his monthly pay account by any officer of the Army if the pay account has been deposited for payment on maturity in conformity with such regulations as the Secretary of War may prescribe: *Provided further*, That payment by the United States of a check on the indorsement of the indorsee specified on the pay account shall be a full acquittance for the amount due on the pay account.

Mr. COX. Mr. Chairman, I reserve a point of order on that paragraph.

The CHAIRMAN. The gentleman from Indiana [Mr. Cox] reserves a point of order.

Mr. HAY. The paragraph is subject to a point of order if the gentleman desires to make it.

Mr. COX. I want to reserve the point of order only on a portion of the paragraph, Mr. Chairman, and if I can get some information, possibly not on that. That part of the paragraph beginning on line 2, "except the appropriation for mileage of officers, dental surgeons, contract surgeons, veterinarians, pay clerks, and expert accountant Inspector General's Department, when authorized by law." That is the proposition that I reserve a point of order on.

Mr. HAY. I do not think that part of it is subject to a point of order. What is the information that the gentleman desires?

Mr. COX. Why is that language put in this bill?

Mr. HAY. It is put in the bill because they do not want the appropriation for mileage to be included as one fund together with the other funds appropriated for the payment of the Army.

Mr. COX. How has that been disbursed heretofore?

Mr. HAY. As one fund.

Mr. COX. Has it not been disbursed on vouchers heretofore?

Mr. HAY. Oh, yes.

Mr. COX. Does this language prevent the disbursement of this fund by vouchers?

Mr. HAY. No, sir. I will say to the gentleman that this language has been in the bill for a long time.

Mr. COX. I beg the gentleman's pardon. It was not in the bill last year.

Mr. MANN. Oh, yes; it was in the last bill. The words used were Pay Department, and that is now consolidated with the Quartermaster's Corps.

Mr. HAY. The gentleman will find, on reference to that paragraph, that the provision reads:

All the money heretofore appropriated for pay of the Army and miscellaneous, except the appropriation for mileage of officers, dental surgeons, contract surgeons, veterinarians, pay clerks, and expert accountant Inspector General's Department, when authorized by law, shall be disbursed and accounted for by officers of the Quartermaster Corps as pay of the Army, and for that purpose shall constitute one fund.

Mr. COX. I find, Mr. Chairman, that the language was in the preceding bill. I did not read page 10. I am not versed as to whether that changes existing legislation or not. Does it?

Mr. HAY. No; it does not.

Mr. COX. It changes no existing legislation?

Mr. HAY. No; it does not change any law whatever.

Mr. COX. None whatever?

Mr. HAY. None whatever.

Mr. COX. How long has that been carried in the appropriation?

Mr. HAY. To my certain knowledge it has been carried for 16 years. I do not know whether it was carried before I became a Member of this House, but since I have been a Member that has been carried in the law.

Mr. MANN. I will ask the gentleman from Virginia, Is not this really a matter of bookkeeping?

Mr. HAY. Certainly.

Mr. MANN. Without this a separate account would have to be kept of all these different items in the bill?

Mr. HAY. Undoubtedly.

Mr. COX. Are they required now to keep the mileage separate?

Mr. MANN. It is kept separate by this provision.

Mr. COX. And without this provision in the bill the mileage would not be kept separate from the other items?

Mr. MANN. Without this provision in the bill all these matters would have to be kept under separate accounts.

Mr. COX. I am not making a point of order against any paragraph except that portion of it.

Mr. MANN. The gentleman will notice that that excepts mileage.

Mr. COX. That attracted my attention to it. Why is that?

Mr. HAY. In order to give Congress the opportunity of knowing how much is disbursed for mileage, and to whom it

is disbursed, so that we can keep tab on it and, if possible, reduce it.

Mr. COX. With all due deference to the gentleman's committee, it has not reduced it very much. It was \$500,000 last year and it is \$550,000 this year. But that is neither here nor there. Without this language in the bill would Congress be in possession of any data showing how that mileage was disbursed?

Mr. HAY. Oh, yes; because they disburse every item that is disbursed upon a voucher; not only the mileage, but every other item.

Mr. COX. But why is this exception made?

Mr. MANN. This particular item does not include mileage.

Mr. HAY. The exception is made so that no more than \$550,000 can be disbursed for mileage.

Mr. COX. Then if it were not for this exception here, would it be in the power of the War Department to disburse more than \$550,000 for mileage?

Mr. HAY. Yes. That is the reason why it is put in there, so that they shall not exceed that amount for mileage.

Mr. COX. In other words, the language to which I have called attention amounts to a limitation upon the appropriation. No more than \$550,000 can be allowed for mileage.

Mr. HAY. That is true.

Mr. COX. I withdraw my point of order on that particular part of the paragraph.

Mr. MANN. Reserving the point of order, may I ask the chairman, as long as he desires to make permanent law of the provision about the payment of checks, where I suppose the officers direct payment to be made to their beneficiaries, just what is that practice?

Mr. HAY. The practice has been for these officers to designate their wives, or people dependent upon them, as the beneficiaries of their checks, and to allow them to deposit those checks in the bank.

Mr. MANN. Without this provision in the law would the check have to be made payable to the officer?

Mr. HAY. Yes; the comptroller has so ruled, and has put a stop to the practice which has been in vogue, and it works a very great hardship, especially on officers in the Philippines.

Mr. MANN. I withdraw the point of order.

Mr. HAY. Now, Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The gentleman from Virginia offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 17, line 3, after the word "surgeons," insert the words "acting dental surgeons."

Mr. MANN. Why not insert "acting" before the words "dental surgeons"?

Mr. HAY. That will do. I ask that the amendment be so changed as to insert the word "acting" in line 3, before the word "dental."

The CHAIRMAN. The Clerk will report the amendment as now proposed by the gentleman from Virginia.

The Clerk read as follows:

Page 17, line 3, before the word "dental," insert the word "acting."

So that it will read:

Acting dental surgeons.

Mr. HELM. Mr. Chairman, I move to strike out the last word. I notice in this paragraph of the bill that dental surgeons, contract surgeons, and veterinarians are excepted.

Mr. HAY. May I ask what the gentleman means by their being excepted?

Mr. HELM. The language in the bill is:

That all money heretofore appropriated for pay of the Army and miscellaneous, except appropriations for mileage, dental surgeons, contract surgeons, and veterinarians.

Mr. HAY. It does not except those particular people. It excepts the appropriation for mileage.

Mr. HELM. Mileage for them, or pay of officers.

Mr. HAY. It excepts the appropriation for mileage for the officers, and all people in the Army who get mileage.

Mr. HELM. Let us see if I understand the gentleman. Does this exception apply to the compensation of these dental surgeons and contract surgeons and veterinarians, or to the mileage?

Mr. HAY. Not at all. They get their mileage, but the exception is that the fund which is appropriated for mileage must be disbursed as one fund, and not included with the other funds which are provided for the pay of the Army.

Mr. HELM. The mileage of these contract surgeons and veterinarians.

Mr. HAY. It is paid to them just as it is paid to officers.

Mr. HELM. The exception applies to the mileage of these men, and not to their compensation.

Mr. HAY. That is correct. Now, the gentleman from Kentucky [Mr. HELM] seemed to be under the impression the other day that the pay of the officers of the Army is larger than the pay of the enlisted men. I have had the items computed, and I find that the pay of the officers is \$17,569,345 and the pay of the enlisted men is \$28,148,466. Then there are other items in the bill, such as pay clerks, superintendent of the Nurse Corps, nurses, and so forth, which amount to \$1,185,910, making the pay of the Army in all \$46,903,721.

Mr. HELM. If I understand the gentleman, he now states that the compensation is something over \$17,000,000?

Mr. HAY. Yes.

Mr. HELM. That includes what class of officers?

Mr. HAY. That includes commissioned officers.

Mr. HELM. What is the compensation of the commissioned and noncommissioned officers, of all ranks, grades, and classes?

Mr. HAY. The noncommissioned officer is an enlisted man, and it would be impossible for me to get the information which the gentleman wants without having the War Department file a statement showing how much each noncommissioned officer receives. The noncommissioned officers are first sergeants, quartermaster sergeants, sergeants, and corporals. There are so many to each company and so many to each regiment.

Mr. HELM. The gentleman understands the statement I have made in response to him was that the compensation of all the officers, including both commissioned and noncommissioned, in the last year's bill, which it is stated this bill follows, was substantially about \$40,000,000. Is the gentleman in a position to say that the compensation of the commissioned and noncommissioned officers as carried in this bill does not amount to approximately \$40,000,000?

Mr. HAY. I am.

Mr. HELM. What is the approximate amount?

Mr. HAY. I am prepared to say, from what I know of the number of enlisted men other than noncommissioned officers, that their pay would be in the neighborhood of \$10,000,000. I mean the privates.

Mr. HELM. And you have a total of \$46,000,000?

Mr. HAY. Yes.

Mr. HELM. If the privates get \$10,000,000 of the \$46,000,000, then \$36,000,000 goes to the class of men I have referred to.

Mr. HAY. You take off \$1,185,000 for the pay clerks, and so forth.

Mr. HELM. Is the gentleman including in his estimate the length of service?

Mr. HAY. Every item in these pay items of the bill.

Mr. HELM. The gentleman's statement is that about \$35,000,000 of this appropriation carried in this bill goes to the commissioned and noncommissioned officers?

Mr. HAY. I think it might be approximately that.

The CHAIRMAN. The time of the gentleman has expired.

Mr. MANN. Mr. Chairman, I think it is not possible from the bill to tell what the pay of the noncommissioned officers is, because the noncommissioned officers and privates are all carried in the same item, which is only two lines of the bill, outside of the longevity pay in the Regular Army.

Mr. HAY. The Engineer Corps, Signal Corps, and the Ordnance Corps are separate.

Mr. MANN. Those are carried separately. The total pay carried is a little less than \$17,000,000 for regular pay and a little over \$2,000,000 for longevity pay.

Mr. HELM. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. HELM. Do I understand the gentleman to state that that \$17,000,000 includes compensation for the privates and noncommissioned officers?

Mr. MANN. That is what I understand; there is no other place in the bill for them.

Mr. HELM. I think the gentleman is mistaken.

Mr. HAY. No; the gentleman from Illinois is correct, but there are a good many enlisted men in the Signal Corps and in—

Mr. MANN. There are special departments of the Army where you make provision for enlisted men separate from the noncommissioned officers.

Mr. HELM. The point I am trying to get at is the \$17,000,000 does not include the entire compensation of the enlisted men, the privates and noncommissioned officers?

Mr. MANN. It includes the pay of the men in the regiments, including the noncommissioned officers, in the Infantry, Cavalry, and Artillery. That is the Army as I call it. It does not include the Engineer Corps, the Signal Corps, the Quartermaster Corps, or the subsidiary branches.

Mr. HELM. That does not conflict with my statement at all.

Mr. MANN. I am not seeking to make conflicting statements.

I say there is no way of telling from the appropriation bill or the law the amount of the noncommissioned officers' pay.

Mr. KENDALL. Does not the \$17,000,000 include much more than the pay of enlisted men and the noncommissioned officers?

Mr. MANN. I do not know of anything else it could include.

Mr. HAY. That is the flat pay; it does not include clothing or subsistence.

Mr. MANN. Mr. Chairman, in that connection it is interesting, possibly, to state the amount that is paid by the foreign governments on account of officers and men, which I do not intend to do very completely. Great Britain has commissioned officers in the regular army to the number of nearly 10,000; in the territorial army something over 9,000; in the Indian army something over 3,000; to which are paid a little over \$25,000,000, including all allowances, commutations, and so forth, and to the retired officers something over \$9,000,000. I do not understand whether the gentleman from Virginia, in stating the amount of the pay of commissioned officers, included in that the allowances for commutation.

Mr. HAY. I did not include anything but commutation of quarters.

Mr. MANN. The German Army has over 25,000 commissioned officers, to whom are paid a little over \$18,000,000. The Austrian Army has nearly 23,000 commissioned officers, to whom are paid \$18,000,000. The French has twenty-eight thousand and some odd commissioned officers. The infantry officers receive \$9,300,000, the cavalry officers \$2,600,000, and the artillery officers \$3,000,000. I do not think it is necessary or instructive, possibly, to detain the committee with a lot of other information which I have been endeavoring to secure upon this subject.

Mr. COX. I would suggest that the gentleman put it in the RECORD.

Mr. MANN. No. I may have other uses for it, where it will be more convenient to get at than if it were in the RECORD.

Mr. HELM. The English Army has a total of how many officers all told?

Mr. MANN. A little over 22,000.

Mr. HELM. Commissioned officers?

Mr. MANN. Yes.

Mr. HELM. What compensation do they receive?

Mr. MANN. The regular pay, including allowances, is \$25,000,000.

Mr. HELM. How many officers are there in the United States Army?

Mr. MANN. I could not answer.

Mr. HELM. Are there not about 5,000?

Mr. MANN. I think in that neighborhood.

Mr. HELM. They receive about 75 per cent as much as the entire British officers receive. Is not that true?

Mr. MANN. I am not under cross-examination. The gentleman can give figures as well as I.

Mr. HELM. I was trying to let the gentleman do the figuring. He has the figures in his hand.

Mr. MANN. Oh, I beg the gentleman's pardon. I have not.

Mr. HELM. The gentleman has a statement from which he was reading.

Mr. MANN. I beg the gentleman's pardon. I have some information about other matters, but not about the matter to which the gentleman just alluded. The gentleman extracted that information or received it from the gentleman from Virginia, and not from me.

Mr. HELM. I do not think the gentleman from Virginia had anything to say about the British Army.

Mr. MANN. No; but I have given the gentleman information in reference to the British Army.

Mr. ANTHONY. Mr. Chairman, a second lieutenant in the continental European armies gets about \$30 a month. A second lieutenant in the United States Army gets \$150 a month. Is it the purpose of the gentleman from Kentucky to intimate that a second lieutenant in the United States Army ought to receive less money than he now gets, or what is the purpose of these comparisons? Does the gentleman feel that the American Army officer is overpaid?

Mr. HELM. Here is the whole purpose of it: It is to let the country understand how much an unorganized, inefficient Army of about 80,000 men is costing the people of the United States. That is my purpose.

Mr. ANTHONY. The gentleman does not propose to reduce the pay of the commissioned officer of the Army to \$30 a month, the same rate of pay received by the same grade in the European armies?

Mr. HELM. No. If I did make any such proposition as that of course it would not go through this body or the other body, and if it did go through, it would be vetoed. But I do believe something can be accomplished by calling attention to the fact

that we are paying about \$100,000,000 annually for something that is not an army.

Mr. MANN. Mr. Chairman, if the gentleman will pardon me one word more in that connection, I will say that some time ago it occurred to me that it might be instructive and possibly beneficial if we could obtain information showing the cost of the American Army for maintenance, including the cost for officers and men, and the cost of armies in foreign countries. I find it is not a very easy matter to obtain that information, although one would think it might easily be obtained. I have received some data from the Secretary of War in response to a request which I submitted to him, and some data from the Secretary of the Navy in response to a request which I submitted to him. I have also received some information from Mr. Griffin, in the Library, who is supposed to be able to find out anything in the world that is known and published in books. I have not secured all the information yet, and do not know that I ever shall be able to, but I think it would be beneficial to us all to know what the cost of our military operations is and what is the cost of the military operations of foreign countries, so far at least as maintenance is concerned.

Mr. KAHN. Mr. Chairman, if the gentleman from Illinois [Mr. MANN] will permit me for a moment, I will state that the cost for subsistence in this country is probably much larger than it is in any other country in the world. During the Boxer troubles in China, when troops were brought in from all the nations, the officers of the armies of Continental Europe purchased from the commissaries of the American Army supplies that we were giving to our private soldiers.

That is, they purchased for themselves some supplies that we were giving to our private soldiers; so that it would seem to me the officers in the armies of Europe do not receive from their respective Governments the quality of supplies or the quantity of supplies that we issue to our private soldiers in this country.

Mr. MANN. I doubt whether the proof of what was purchased in the Boxer trouble is proof of what might take place under ordinary conditions, and I see no reason why the supplies furnished to our Regular Army should cost a great deal more here than in foreign countries, considering the fact we ship those same supplies from America to the foreign countries to a considerable extent—not quite so much now as we used to do—and we produce them here at home, whereas very few foreign countries do produce them at home.

Mr. KAHN. I spoke of the quality and variety of the ration more than the cost.

Mr. MANN. I apprehend, after all, the American in the Army does not eat any more than the Frenchman or the German or the Englishman; he may possibly get a little better provender, but I doubt that.

Mr. KAHN. He probably gets more meat than in other armies.

Mr. MANN. And, I expect, more meat than is good for him.

Mr. KAHN. And he gets more articles of subsistence than they do.

Mr. MANN. Well, I am not criticizing the maintenance of the American Army—far from it—but I wanted to get the figures.

Mr. KAHN. The figures I had were 23.8 cents per man; I think that is the ration for the private soldier.

Mr. MANN. Which does not seem excessive.

Mr. KAHN. It has been increased from 21 cents to 23 cents by reason of the increased cost of some of the various articles that enter into the ration. That has brought about the deficiency in the item of subsistence for the Army; the cost of the ration has increased.

Mr. HOBSON. In the Navy the ration runs, I think, to 30 cents, or possibly more.

Mr. HAY. Mr. Chairman, I move that all debate on this amendment and paragraph and all amendments thereto be closed in—did the gentleman from Wyoming want to say anything?

Mr. MONDELL. I should like to have five minutes.

Mr. HAY. In five minutes.

Mr. ANTHONY. I should like to say a word.

Mr. HAY. In 10 minutes.

The question was taken, and the motion was agreed to.

Mr. MONDELL. Mr. Chairman, quite recently I read a very interesting article, I regret now I did not read it with more care, on this Army pay and supply question, comparing the American Army pay and supplies with the pay and supplies of foreign armies. In a way it was very startling, and I regret I do not recall the exact figures, but it made clear the fact that the enlisted man—the drafted man, for they are such—of continental armies receives a mere pittance, a very few cents per day, and that the officers, compared with the officers of

our Army, are paid a very insignificant sum. I saw a little squib the other day relating to the pay of the men who have been so gallantly carrying the Turkish fortifications in the Balkans recently, giving the very extraordinary titles and the small pay that those men receive. My recollection is that a colonel in the Bulgarian Army receives about what a first lieutenant receives in our Army. Now, in the matter of supplies and rations, the gentleman from Illinois [Mr. MANN] and the gentleman from California [Mr. KAHN] are both to a certain extent correct. Our ration costs more per man, because we do give the men more. We give the men more pounds per day food and we give them a much greater variety and a much better quality of food than the enlisted men of continental armies receive. The amount of meat which the American soldier has allotted to him, as I recollect, is more than twice the amount allotted to any soldier of any European army per day, but we all understand, those who have some knowledge of military affairs, and I do not claim to have much, that our Army ration is such that by carefully husbanding it the men are able to purchase many articles outside of the regular ration, and they do enjoy constantly, at least when not in the field, a very much wider range of ration and a very much greater variety of food than the ration itself produces, and that is secured by a saving on the ration and the commutation of the saving in other articles.

The enlisted man of the United States Army is as well fed as any man in the world need be, and fed on the best of food and furnished entirely sufficient quantities of it. It is true, as the gentleman from Illinois says, that, per pound of the articles furnished, the cost is often actually less in the United States than the same articles cost European armies.

The CHAIRMAN. The time of the gentleman from Wyoming has expired.

Mr. ANTHONY. Mr. Chairman, I would like to make an observation in reference to the statement made by the gentleman from Kentucky [Mr. HELM], in which he declared there was room for large economy in the maintenance of our Army. Now, I agree with the gentleman from Kentucky [Mr. HELM]. There is room for economy in Army expenditures, but the place for it is not in a reduction of the ration of the soldier or in the pay of the soldier or of the officer, but the place for it is to pursue a policy of stationing our mobile Army in places where the men can be subsisted at the most economical cost to the Government, where the animals of the Cavalry and Artillery can be fed with grain and forage where it can be obtained at the very least cost to the Government. And I make the statement here now, that the way our Army is scattered over this country, that at fully two-thirds of the posts in this country the cost of a ration is substantially higher than in other parts of the country; that we have Cavalry in parts of the country where forage costs twice as much as in other parts of the country. I believe several millions of dollars could be saved in distributing our Army properly over this country.

Mr. HOBSON. If the gentleman will yield, could not the restationing also be arranged so as to increase the efficiency as well as to reduce the cost? That is, let there be more concentration, and therefore efficiency in larger degree.

Mr. ANTHONY. Concentration in larger degree, but where subsistence, grain, and forage can be had at less cost.

Mr. MONDELL. Will that be in Kansas?

Mr. ANTHONY. That will be in the great Middle West, ranging from the Lakes to the Gulf of Mexico and from the valley of the Mississippi west to the Rocky Mountains.

Mr. HELM. I understood you to say that the Army ought to be concentrated where it could be subsisted the cheapest?

Mr. ANTHONY. That is correct.

Mr. HELM. I want to take issue in part with the gentleman and say that the Army ought to be stationed where it can be brought into action in concert with the Navy and with the Coast Artillery.

Mr. ANTHONY. If the gentleman will permit, I will make a statement along those lines.

Mr. HELM. Our Army ought to be located along our ocean coasts and our frontiers of Canada and Mexico.

Mr. ANTHONY. I do not agree with the gentleman at all. Now, Mr. Chairman, I have a high opinion personally of our Secretary of War, but I have a very poor opinion of the ideas he has lately advanced, that our Army ought to be stationed in this country purely along "tactical" and "strategic" lines, as he calls it. I think that is all bosh, if I can use that expression when used in connection with the manner in which the mobile army should be garrisoned in the United States in times of peace.

That idea might have been all right a hundred years ago when there was a necessity, for instance, of maintaining an

army on the Canadian or Atlantic border in order to resist invasion, but I say the policy we should pursue now to secure the best results is to station our Army and subsidize it where it can be done the cheapest as well as concentrated for tactical and maneuver purposes. To-day our troops can be taken in 24 to 48 hours from one part of this country to another—from its geographical center to any coast or border in two or three days at most. The Army ought to be permanently stationed where it will cost the taxpayers of the country the least amount of money.

Another proposition that the War Department has advanced, and which I think is going to cost the people of this country an unnecessarily large amount of money, is their evident intention to take 12,000 of our troops and place them in garrison in Hawaii and to send 9,000 troops to Panama. It is going to cost one-third more to take care of those soldiers in those countries than it is in the United States, and as regards the real military necessity of stationing 9,000 troops on the Panama Canal I believe there is none. We could place 9,000 troops there one month ahead of any enemy that could possibly menace the canal, and a permanent police force is all that is really needed. I want to see Congress sit down on these tremendous contemplated expenditures for these unnecessary foreign garrisons.

Mr. HOBSON. Before our Naval Committee, Col. Goethals stated this morning that 25,000 men was the minimum that would be required to hold the Panama Canal and protect the locks of the canal against an enemy that had control of the sea. I wonder if that has military backing in his opinion.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ANTHONY. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. All time has expired on the paragraph.

Mr. ANTHONY. I ask for unanimous consent for sufficient time to answer the gentleman's question.

The CHAIRMAN. Without objection, the gentleman's request will be granted.

There was no objection.

Mr. ANTHONY. I want to say that I agree that Col. Goethals is undoubtedly correct; that 25,000 men would be needed in time of war to protect the canal, but only in time of war. But I insist that we could send 25,000 men to Panama three weeks in advance of the time any public enemy could send a force there. There is no military necessity, in my opinion, of stationing them there now in permanent garrison. In these days of rapid transportation troops can be sent from our southern coast to Panama in less than three days.

Mr. HOBSON. I want the gentleman to understand the colonel's statement. The colonel's statement was that it would require behind the line of our fortifications 25,000 men to protect the locks; and he said, furthermore, that he did not expect and could not expect to receive any reenforcement after a war came.

Mr. ANTHONY. Does the gentleman mean that the American Navy would be of no avail to protect our line of communication with the Canal Zone?

Mr. HOBSON. In order to receive reenforcements you must be in control of the sea, and you can not be in control of it under those circumstances.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Encampment and maneuvers, Organized Militia: For paying the expenses of the Organized Militia of any State, Territory, or of the District of Columbia which may be authorized by the Secretary of War to participate in such encampments as may be established for the field instruction of the troops of the Regular Army, as provided by sections 15 and 21 of the act of January 21, 1903, entitled "An act to promote the efficiency of the militia, and for other purposes," to be immediately available and to remain available until the end of the fiscal year 1915, \$350,000.

Mr. MANN. Mr. Chairman, I desire to strike out the last word. I desire to trespass on the patience of the House for a moment, only to continue the discussion of the provision before referred to.

It is very difficult to be sure that you are getting accurate figures about these costs, either at home or abroad, as I have often discovered. I certainly have no desire to express anything but thankfulness to the officials who have furnished me with the information that I have received, and I hope that none of them will consider that I am criticizing them in any way. This may be correct. I find by a statement from the War Department that in France the infantry officers receive \$9,300,000, that the men receive \$2,800,000; that the officers in the cavalry service of France receive \$2,000,000, and the men receive \$544,000; that in the artillery service the officers receive \$3,000,000, and the men receive \$1,000,000.

That may be correct; I do not know. If so, they have a very different system of providing for the men from what we have, and certainly they do not pay the men very much.

From the same statement I find that they compute the German Army at 587,000 men and the French Army at 564,000, which is practically the same. They compute subsistence and clothing for the German Army at \$45,000,000, and subsistence and clothing for the French Army at \$18,000,000, counting subsistence alone in the French Army at \$8,000,000, which of course seems very small for an army of 564,000 men. But I find further, upon comparing the figures furnished to me by the War Department concerning the German Army with the figures furnished by the Library of Congress concerning the same army in the same time, that the subsistence and clothing in the German Army cost approximately \$45,000,000, according to the statement of the War Department, and \$55,000,000, according to the statement of the librarian.

Now, of course, \$10,000,000 is not very much, although it happens to be more than they report the entire cost of the subsistence of the French Army to amount to. I suppose it may be very difficult to obtain these figures, but certainly you need to get them from several different quarters before you are sure you are right.

Mr. HELM. Mr. Chairman, will the gentleman yield?

Mr. MANN. Certainly.

Mr. HELM. Have you any statement there showing the cost per enlisted man for the German and French Armies?

Mr. MANN. I do not have it figured out that way at all.

Mr. COX. Mr. Chairman, has the gentleman the figures there, showing the total cost of the French Army and the German Army? If he has, I wish he would put them in.

Mr. MANN. The total cost of the German Army here, in the statement—I do not know how much it includes—is about \$200,000,000.

Mr. HELM. How many men?

Mr. MANN. Five hundred and eighty-seven thousand, and the total cost of the French Army, numbering 565,000, is given, approximately, at \$165,000,000.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN (Mr. MURRAY). The gentleman from Wyoming moves to strike out the last word.

Mr. MONDELL. Mr. Chairman, I was very much interested in the statement made a moment ago by the gentleman from Alabama [Mr. Hobson], to the effect that Col. Goethals had stated this morning before the committee of which he is a member that it would require 25,000 men properly to protect the Panama Canal if it is to be fortified. I am glad to have such high military authority for an estimate so far in excess of what was claimed to be the excessive estimate I made in the House last year in a speech opposing the fortification of the Panama Canal. At that time it was stated that approximately 12,000 men would be sufficient to protect the canal against an ordinary expeditionary force, though, of course, neither 12,000 nor 25,000 men could protect the canal against a long-continued movement by a great power having command of the sea.

This is a startling statement. Twenty-five thousand men in the Tropics on the canal will cost at least \$35,000,000. So, if we are to fortify the Panama Canal we must look forward to increasing this bill by at least \$35,000,000, in addition to increases in other bills. For what? In the attempt to do what in case the matter is ever brought to the touch we can not accomplish.

All of this military expenditure is opposed to what we anticipated when we began the building of the canal. In the first years of its construction we carried on the building of the canal without a thought in the mind of anyone other than that it should be a great highway of commerce devoted to the welfare of mankind, to intercommunication, and forever dedicated to peace. We have a treaty proposing that. All the world stands ready to join with us in dedicating this great waterway to peace. Its fortification can serve no useful purpose. It is not in any sense an outer line of defense. If fortified it is the heel of Achilles, where any foreign foe would first strike and smite us.

Only a policy of nonfortification, of the maintenance of neutrality by international agreement, can make the canal useful to us in time of war as well as in time of peace; for it matters not how many men maintain or how many guns we mount, the moment war is declared with any great power the canal is sealed effectually to our Navy, our commerce, and the commerce of the world.

Gentlemen have been talking about the great cost of the Army and have been suggesting that it is too large and unnecessarily expensive. Such gentlemen, and all who desire that our influence shall be an influence for peace and not for war, for de-

velopment and not for conquest, will within a short time have a chance to cast their votes on the question whether we are going on with the work just recently started, of building fortifications at Panama which will eventually cost us \$50,000,000 to \$100,000,000 and \$30,000,000 to \$35,000,000 annually to maintain, or whether we shall dedicate that great waterway to our continual use without cost for defense and to perpetual peace. [Applause.]

Mr. HELM. Mr. Chairman, I move to strike out the last two words. I think it would be just as wise to leave the Panama Canal unfortified and expect to retain possession and control of it as it would be to put a coop of chickens in a negro settlement over night without lock on the coop and expect to find chickens in that coop the next morning. [Applause.]

My object in rising is to answer a statement of the gentleman from Kansas [Mr. ANTHONY]. He made the statement that the Army should be housed in the places where it could be most cheaply done. I take issue, in part, with the gentleman, and say, as I have said before, that the purpose of an Army is for fighting, and it is to be effective when needed. In my humble opinion the Army should be quartered where it can be the most effectively used if its use becomes necessary.

We have three forces for defense—the Navy, the Coast Artillery, and the mobile Army. In my humble opinion the mobile Army should be quartered along the Atlantic and Pacific coasts and adjacent to the Canadian and Mexican borders, so that, if the occasion ever arises, these three forces can sustain each other in any attack that is made or any effort to land an alien army on our coast. For instance, Atlanta might be selected as a suitable place in which to quarter a large portion of our Army. It is suitable in that it is close to the Atlantic coast and also close to the Gulf of Mexico, and is located in a section of country where supplies of all kinds are to be obtained with reasonable cheapness. It occurs to me that instead of placing the mobile Army in the central portion of the Mississippi Valley it would be better to place it where it can be used effectively in conjunction with the Navy and the Coast Artillery. Further, if the time comes when you want to have maneuvers, when the mobile Army, the Coast Artillery, and the Navy can be maneuvered in concert, the cost of assembling these forces will be minimized. I hope this plan will be adopted. I have tried, to the best of my ability, to show the importance of concentrating the troops in larger numbers in fewer quarters. If it can ever be effected it appears to me that the War Department would do well not to consider altogether the cheapness of the proposition, but the effectiveness of it, and I believe that when this is done those who are familiar with military propositions will take the view I have stated.

The Clerk read as follows:

To meet the expenses incident to holding an International Rifle Shooting Competition at Camp Perry, Ohio, in cooperation with the Perry Victory Centennial Celebration to be held in September, 1913. In connection therewith, the Secretary of War is hereby authorized to loan to the management of the tournament such new United States magazine rifles, caliber .30, model 1903, as may be necessary to carry out the regulations of the International Union, and to detail officers and men to conduct the tournament, such detailed officers not to be affected by the Army appropriation act approved August 24, 1912, \$25,000: *Provided*, That the rifles and equipment of the visiting riflemen be admitted under bond and that the ammunition and personal effects of such riflemen be admitted to the United States without the imposition of duty.

Mr. COX. Mr. Chairman, I make a point of order on that paragraph.

Mr. HAY. It is subject to a point of order, of course. Does the gentleman make it?

Mr. COX. I make it.

Mr. HAY. I hope the gentleman will not make the point of order. I will state to the gentleman that we have heretofore ourselves accepted invitations of other countries to these international shooting matches. They have extended to us their courtesy and their entertainment, and I think it would be very poor policy on our part to refuse to do the same thing. It is particularly important to cultivate cordial relations with South American Republics. We went to the Argentine last year; we sent a team there composed partly of the Regular Army and the Marine Corps, and I hope the gentleman, under the circumstances, will not insist on his point of order.

Mr. MANN. Will the gentleman yield for a question?

Mr. COX. Certainly.

Mr. MANN. Of course, this international rifle-shoot competition will not be held unless this appropriation goes in?

Mr. HAY. I do not think it will.

Mr. MANN. There will be no authority for inviting anybody here?

Mr. HAY. I will say that the State Department has already issued invitations.

Mr. MANN. Upon what authority?

Mr. HAY. I do not know; but I understand that the State Department had issued invitations to these countries to come and compete in this match. I do not know that they had any authority to do it.

Mr. MANN. We passed some legislation in reference to a centennial celebration, and it may be included in that; but I do not recollect of any such authority.

Mr. HAY. I do not know upon what authority it was issued, but as a matter of fact we have accepted similar invitations from other countries and have been entertained, our expenses paid while there, and it seems to me that this country is large enough and ought to have enough courtesy to return what we have received from other people.

Mr. MANN. I have no objection as far as I am concerned to holding the international rifle shooting competition. I would like to ask whether they have been held as a side show to the main tent?

Mr. HAY. I do not quite understand what the gentleman means.

Mr. MANN. There is to be celebration of a one hundredth anniversary, and I believe that the United States and Canada and other countries are to fall upon each other's necks and say how pleased they are that we have had 100 years of peace. That is the main tent. Now, this is the side show in connection with it. All I ask is whether we are to have this rifle competition as a side show to some other main celebration.

Mr. WILLIS. Will the gentleman yield to me?

The CHAIRMAN. The gentleman from Indiana has the floor.

Mr. HAY. But, Mr. Chairman, there is no question about the paragraph being subject to a point of order if the gentleman from Indiana insists on his point of order. If he does, there is no use in discussing it further.

Mr. COX. I want to get some information.

Mr. WILLIS. Mr. Chairman, I want to say that I think the characterization that the gentleman from Illinois has placed on this proposition is hardly fair. It is not intended as "a side show to the main tent" or anything of the kind. As a matter of fact, probably the finest target range in the United States is located at Camp Perry, Ohio.

Mr. COX. Is that in the gentleman's district?

Mr. WILLIS. No; it is not; but that does not make any difference; it is in the State of Ohio and is a national affair. The fact is that the target range at Camp Perry has been used for a number of years for these meetings. Riflemen come from all over the country to that range, and the fact that there is an appropriation here does not indicate that it is intended to boost the centennial celebration, about which I know very little. This is carrying out the usual policy that has obtained. Anyone interested in the work of the riflemen knows that.

Mr. COX. Do I understand the gentleman to say that the range has been maintained for a great many years?

Mr. WILLIS. I do not know how many years, but I should say 8 or 10 years.

Mr. COX. Has it been maintained by Federal aid or is it a State range?

Mr. WILLIS. I do not know what part the Federal Government has had in it, but I do know that the State of Ohio has expended a vast sum of money on the range. Gentlemen may be familiar with the geography of that country. It is quite flat and an ideal place for a target range, and without doubt the target range at Camp Perry is one of the finest in the world. It seems to me that the gentleman ought not to insist on his point of order, because it would absolutely break up and interfere with our relations with other countries in this matter of target practice, as the chairman of the committee has stated. We have been entertained by these other nations. I know that personally, and it now is our turn to entertain.

Mr. COX. How many times have we been entertained in the last 10 years?

Mr. WILLIS. I do not know how many times, but a number of times. The chairman of the committee said that last year our team went somewhere in South America.

Mr. COX. Can the gentleman tell us anything about that trip to Buenos Aires in South America last year?

Mr. WILLIS. I know nothing about that, except that we had a team that went there and was entertained and made a good record. That has occurred at least a half dozen times and it is our turn now. It seems to me it will be extremely discourteous and undesirable for this Nation to say, now that we have been entertained, that it is our turn but that we will not appropriate anything for a similar purpose.

Mr. COX. Is this the first time that the United States has ever tendered an invitation of this kind to come here?

Mr. WILLIS. I am not able to answer that. Probably some member of the committee can do so.

Mr. HAY. It is the first time.

Mr. SLAYDEN. Mr. Chairman, I want to say to the gentleman, with his permission, that the statement was made to me by those in authority that our people were very hospitably entertained, and an appropriation of twice as much as we now propose was made by some one of the countries—which one I have forgotten—for the purpose of entertaining foreign visitors at the international rifle contest.

Mr. HAY. In France.

Mr. SLAYDEN. The chairman suggests that it was France. I do not know, but twice as much money was appropriated by that Government which did entertain us as we are asking now. Also, the statement was made to me by one of the officers that in Sweden our people were very hospitably entertained and taken care of. There is no doubt that the item must go out if the gentleman makes the point of order. It is only a question of whether as a matter of policy we ought to reciprocate the courtesy that we have received.

Mr. COX. Can the gentleman point out any benefit at all that this Government would now or in the future receive if this item remains in the bill except the mere matter of courtesy?

Mr. SLAYDEN. Well, from acts of courtesy sometimes flow very practical advantages in the way of administering government and maintaining peaceful relations. Our commerce can only go on with satisfaction during periods of peace, and all of those things contribute to the good of the country in that way. You can not trace the effect of this policy as you can some characters of work in which men engage. If you go out to fell a tree, you can see with each blow of the axe something accomplished. On the other hand, spiritual movements, matters of sentiment, and the development of cordial relations between nations may be fostered and developed by a line of courtesy and work that is impossible to trace in that way. I believe, personally, it is a good thing to do, besides the advantages to come from the contest itself.

Mr. COX. Will the gentleman explain what is meant by "management of the tournament." What does that mean?

Mr. HAY. The tournament will be managed by the officers of the Regular Army.

Mr. SLAYDEN. We have our own riflemen engaged every year in contests of this nature.

Mr. COX. What additional cost will there be to the Government of the United States if this tournament is held, besides the \$25,000 intended to be appropriated?

Mr. SLAYDEN. I think the men and officers who go there and engage in the shoot, I mean the militiamen, get the pay of officers and men in the Army while they are actually in camp and engaged in the contest.

Mr. HAY. I would state to the gentleman that that comes out of a permanent annual appropriation.

Mr. SLAYDEN. But the gentleman is asking how much it was.

Mr. HAY. That would not be affected by this. Whether you made this appropriation or not, they would still go there just the same.

Mr. COX. Would it cost the Government anything to hold this tournament in addition to this \$25,000?

Mr. HAY. It would cost the Government the transportation of the officers and men. I do not think there are very many of them.

Mr. COX. How many?

Mr. SLAYDEN. There are a few from the State of Texas.

Mr. HAY. The gentleman is talking about officers and men of the Regular Army. I do not know what the size of a team is.

Mr. COX. Would it be safe to estimate that it would cost the Government an additional \$25,000?

Mr. HAY. I think it might; yes.

Mr. HELM. Will the gentleman yield?

Mr. HAY. I will.

Mr. HELM. I notice the first appropriation in this bill says:

Contingencies in the Army: For all contingencies in the Army not otherwise provided for, and embracing all branches of the military service, including the office of the Chief of Staff, to be expended under the immediate orders of the Secretary of War, \$25,000.

What is that \$25,000 to be used for unless it is to be used for just such a purpose as this?

Mr. HAY. Well, I will state to the gentleman it is used as follows, if the gentleman would like to have the items of this particular item.

Mr. HELM. I did not catch the gentleman's statement.

Mr. HAY. I will state to the gentleman it is not used for any such purpose as this. It is used for laundering towels, for one dozen typewriter ribbons, for one stamp and three typewriter ribbons, and for various things of that sort. It is not used for any military purpose.

Mr. MANN. They make an annual report.

Mr. HAY. They make an annual report, which I hold in my hand for the last fiscal year.

Mr. HELM. What I was trying to get at is, would not a portion of this fund be available for this purpose?

Mr. HAY. It is for contingencies of the War Department, and they buy, for instance, photographic supplies, transportation of one person from Charleston, W. Va., to Washington, and so forth; law books, and so forth. It is not used for any purpose of this sort, and never has been and could not be.

Mr. HELM. This further question: Is there any fund available in the State Department which can be used for this purpose?

Mr. HAY. Not that I know of.

Mr. COX. Mr. Chairman, I shall have to insist upon the point of order.

Mr. WILLIS. Mr. Chairman—

Mr. HAY. If the gentleman is going to make the point of order—

The CHAIRMAN (Mr. SAUNDERS). The point of order is sustained.

Mr. HAY. I do not make it.

Mr. COX. I make the point of order.

The CHAIRMAN. The point of order is sustained.

The Clerk read as follows:

SUBSISTENCE OF THE ARMY.

Purchase of subsistence supplies: For issue, as rations to troops, civil employees when entitled thereto, hospital matrons, nurses, applicants for enlistment while held under observation, general prisoners of war (including Indians held by the Army as prisoners, but for whose subsistence appropriation is not otherwise made), Indians employed with the Army, as guides and scouts, and military convicts at posts; for the subsistence of the masters, officers, crews, and employees of the vessels of the Army transport service; hot coffee for troops traveling when supplied with cooked or travel rations; meals for recruiting parties, and applicants for enlistment while under observation; for sales to officers and enlisted men of the Army: *Provided*, That the sum of \$12,000 is authorized to be expended for supplying meals or furnishing commutation of rations to enlisted men of the Regular Army and the Organized Militia who may be competitors in the national rifle match: *And provided further*, That no competitor shall be entitled to commutation of rations in excess of \$1.50 per day, and when meals are furnished no greater expense than that sum per man per day for the period the contest is in progress shall be incurred. For payments: Of commutation of rations to the cadets at the United States Military Academy in lieu of the regular established ration, at the rate of 30 cents per ration; of the regular allowances of commutation in lieu of rations to enlisted men on furlough, enlisted men, and male and female nurses when stationed at places where rations in kind can not be economically issued, and when traveling on detached duty where it is impracticable to carry rations of any kind, enlisted men selected to contest for places or prizes in departments and Army rifle competitions while traveling to and from places of contest, male and female nurses on leaves of absence, applicants for enlistment, and military convicts while traveling under orders; of commutation of rations in lieu of the regular established ration for members of the Nurse Corps (female) while on duty in hospital, at 40 cents per ration, and for enlisted men, applicants for enlistment while held under observation, and military convicts sick therein, at the rate of 30 cents per ration (except that at the general hospital at Fort Bayard, N. Mex., 50 cents per ration, and at other general hospitals 40 cents per ration are authorized for enlisted patients therein) to be paid to the surgeon in charge; advertising; for providing prizes to be established by the Secretary of War for enlisted men of the Army who graduate from the Army schools for bakers and cooks, the total amount of such prizes at the various schools not to exceed \$900 per annum; for other necessary expenses incident to the purchase, testing, care, preservation, issue, sale, and accounting for subsistence supplies for the Army; for extraordinary expense of subsistence of West Point cadets while attending inaugural ceremony, to be immediately available; in all \$9,008,517.

Mr. FOSTER. Mr. Chairman, I reserve a point of order on this item.

Mr. HAY. To what part of the paragraph?

Mr. FOSTER. To that portion of the paragraph providing for extraordinary expense of subsistence of West Point cadets while attending the inauguration.

Mr. HAY. Well, if the gentleman wants to make that point of order, I have no objection.

Mr. FOSTER. I make the point of order on that.

The CHAIRMAN. Does the gentleman desire to be heard on the point of order?

Mr. HAY. I do not care to be heard on it, Mr. Chairman, except to say it has been the custom for many years in an inaugural year to provide for the subsistence of these cadets who take part in the inauguration ceremonies. I will say that the Corps of Cadets at West Point could not come here unless this is included.

Mr. FOSTER. Mr. Chairman, I do not believe for the necessary inaugural ceremonies to be held in the city of Washington the 4th day of next March that it is necessary to put the expense in this bill for the purpose of bringing cadets from West Point to Washington. We have in the last two or three days had some words from the man who is to be inaugurated on the 4th day of March that he desires some return to Democratic

simplicity in the inaugural ceremonies to be held at that time, and I do not believe that it is the desire of Gov. Wilson that his inauguration should be held in such a manner as to cause great expense to the people of this country or an unnecessary military display, and, so far as this provision of the bill is concerned, I do not believe that it is of any value to the American people. I do not believe that it adds anything more to the success of the incoming administration that we should have a great display in the city of Washington at that particular time.

Mr. SLAYDEN. Is the gentleman against the ball?

Mr. FOSTER. I am against the ball, and I believe Mr. Wilson very wisely acted in saying he did not desire it. [Applause.] I believe that this aping of royal funkism in the city of Washington should stop, and we should go ahead and have a simple inaugural and then go about doing the work that our party believes should be done.

Mr. GILLET. Is not the ball the only self-supporting feature of the whole inauguration?

Mr. FOSTER. Well, I judge that the ball is held for the purpose of giving some people an opportunity of displaying the clothes that they may wear, and another reason is that it helps the city of Washington that desires at this particular time to make what money the citizens can out of the people who come here.

Mr. MANN. Is the ball for the purpose of selling tickets to innocents from abroad?

Mr. FOSTER. To skin those who come here to attend the inauguration, and to that end the people of Washington advertise it very largely, because they make money and it is a profit that they rake in to themselves.

Mr. SLAYDEN. I am afraid the gentleman's dancing days are over.

Mr. FOSTER. That is true. But I understand there is not much dancing at an inauguration, but that it is principally an opportunity to show themselves and walk around in a parade—a sort of a "peacock alley" place.

Mr. HAY. Mr. Chairman, this has nothing to do with the inaugural ball. It is an entirely different proposition. I want to say to my friend from Illinois [Mr. FOSTER] I am as much in favor of simplicity in the inauguration as anybody else, but the gentleman must remember that the inauguration of a President is not only for the President who is inaugurated. Thousands of people come here from all parts of this country for the purpose of seeing the inauguration. It is the only time when they have an opportunity of seeing the cadets from West Point and from the Naval Academy in a parade and to see how they perform, and if any troops—and a large number of them are to be in this parade—it seems to me that it is most proper that the cadets from these two institutions, West Point and Annapolis, should come here, not only that the people of the country may see how they are learning their duties as soldiers and sailors, but to impress upon the cadets themselves the importance of the event in which they are taking part and to in part teach them the duties of patriotism. And I hope my friend from Illinois [Mr. FOSTER] will not break all precedents by insisting on this point of order. I think it probably is subject to a point of order.

Mr. MANN. Does not this item properly belong in the Military Academy bill if it goes in any bill?

Mr. HAY. I do not think it would be any more in order on the Military Academy bill than on this bill.

Mr. MANN. It probably would not be more in order, but would it not be more beneficial if so enacted? This bill will not become the law until about five minutes before the ceremony begins.

Mr. HAY. I hope the gentleman's prophecy is not correct.

Mr. MANN. And the Military Academy bill will.

Mr. HAY. I do not see anything that will cause this bill to be delayed until such time.

Mr. MANN. There is nothing yet, but there will be before it passes.

The CHAIRMAN. The gentleman from Illinois [Mr. FOSTER], I understand, makes a point of order.

Mr. FOSTER. I want to reserve it for a moment.

Mr. CARLIN. I think the gentleman's criticism of the people of Washington is not only unjust but unfair. It is not a fact that the inaugural ceremonies are a matter of profit to the people of this city. On the contrary, it is a great burden and expense in the requirement of extension of hospitality to almost every citizen of the city and the vicinity. They have always been glad to do it, but it never has been a source of profit, but always one of expense.

Mr. FOSTER. Mr. Chairman, I might go ahead and say to the gentleman, and I think I could, that living here only close

to the city of Washington he has not come up against the hotel prices.

Mr. CARLIN. The hotel prices are a very small feature of the cost.

Mr. FOSTER. I will say that the city of Washington is glad to have the display, and I do not think it is adding anything to the patriotism of the country to have this additional expense at that particular time, and I therefore make the point of order.

The CHAIRMAN. The point of order is sustained. The Clerk will read.

Mr. HAY. I understand the point of order, Mr. Chairman, goes to these words:

For extraordinary expense of subsistence of West Point cadets while attending inaugural ceremony, to be immediately available?

The CHAIRMAN. That is so understood. The Chair sustains the point of order.

Mr. FOSTER. There is one particular matter I want to call the attention of the chairman to, that is different than last year, and that is the pay for Indians.

Mr. HAY. Does the gentleman mean the words "without pay"?

Mr. FOSTER. The words "without pay" are left out this year.

Mr. HAY. The chief of the Quartermaster Corps informed the committee they had not any Indians employed who were without pay. As a matter of fact, we do pay them.

Mr. FOSTER. So we are not starting on a new way of doing this?

Mr. HAY. No.

Mr. KAHN. Mr. Chairman, I move to strike out the last word. A few minutes ago an inquiry was made in regard to the cost of the ration of the American soldier. The chief of the Quartermaster Corps appeared before the Committee on Military Affairs and presented a statement of items that go to make up the ration of the soldiers of our country. There are some 25 items included in that ration.

The cost per man is 23.8 cents per day, and I ask unanimous consent to insert in the Record a full statement on the item of cost of the ration for the American soldier.

The CHAIRMAN. Without objection, the statement indicated will be inserted in the Record.

Mr. PRINCE. Mr. Chairman, I suggest to my colleague that he also state that while these rations are good and sufficient, the Government in addition furnishes excellent soldier cooks to put them into shape.

Mr. KAHN. I am glad the gentleman from Illinois has made that suggestion. A few years ago the War Department organized a school for cooking. It was found that frequently the rations furnished to the soldiers were spoiled in their preparation. Upon the request of the War Department an item was inserted in the Army appropriation bill to enable the department to establish cookery schools. I believe there are two or three of these schools in existence at present, and the officers of the department have testified that this departure has added materially to the welfare of the soldier.

Mr. MANN. Mr. Chairman, will the gentleman yield?

Mr. KAHN. Certainly.

Mr. MANN. How many cooks do they have to a company who are paid outside of the enlisted men?

Mr. HAY. The cooks are enlisted men.

Mr. KAHN. None; they are all enlisted men.

Mr. MANN. So that the Government does not furnish cooks apart from the men who are doing their own cooking?

Mr. KAHN. No; it does not.

Mr. MANN. One might have gotten that impression from the statement of my colleague, the gentleman from Illinois [Mr. PRINCE].

Mr. KAHN. Enlisted men detailed to do the cooking are furnished from the cookery schools.

Mr. MANN. The men are not furnished cooks outside of the Army?

Mr. KAHN. No. The cookery schools are recruited from the ranks, and the schools have proved to be of material advantage to the soldier.

Mr. HAY. Mr. Chairman, I simply wish to state that the Chief Quartermaster in the hearings stated that the price that that is based on is 24.9 cents per ration.

Mr. KAHN. He also gave to the committee, on page 90 of the hearings, a statement showing just exactly what each ration costs.

Mr. KENDALL. A ration is an allowance of food for one day, is it not?

Mr. KAHN. It is.

The CHAIRMAN. The gentleman from California [Mr. KAHN] has asked unanimous consent to have inserted in the RECORD the matter indicated by him. Is there objection?

There was no objection.

Following is the tabular statement referred to:

Statement showing the cost of the components of the garrison ration per 100 rations and per 1 ration.

Number of rations.	Articles.	Unit.	In bulk.	Price.	Cost per 100 rations.	Cost per 1 ration.
				<i>Cents.</i>		
70	Beef, fresh.....	Pound.....	87½	9.734	\$8.51725	\$0.08517
30	Bacon, issue.....	do.....	22½	14.915	3.35587	.03356
100	Flour, issue.....	do.....	112½	2.685	2.40412	.02404
100	Baking powder.....	No. ½ can.....	1	12.068	.12068	.00121
50	Beans.....	Pound.....	7½	5.162	.38715	.00387
50	Rice.....	do.....	5	5.376	.26880	.00269
70	Potatoes, fresh.....	do.....	87½	2.127	1.85698	.01856
20	Onions, fresh.....	do.....	25	2.313	.57825	.00578
10	Tomatoes, canned.....	Small can.....	6½	11.068	.69175	.00692
30	Prunes.....	Pound.....	2½	7.343	.17623	.00176
50	Jam.....	No. 2 can.....	2½	20.12	.51098	.00511
10	Apples, evaporated.....	Pound.....	¾	8.053	.06442	.00064
10	Peaches, evaporated.....	do.....	¾	8.184	.06547	.00065
100	Coffee, R. and G.....	do.....	7	22.176	1.55232	.01552
100	Sugar.....	do.....	20	5.324	1.06480	.01065
100	Milk, evaporated.....	Family can.....	4½	5.93	.24708	.00247
50	Vinegar.....	Gallon.....	½	15.094	.03773	.00038
50	Pickles, cucumber.....	do.....	½	26.585	.06462	.00065
100	Salt.....	Pound.....	4	.62	.00248	.00002
100	Pepper, black.....	No. ½ can.....	1	5.3	.05300	.00053
100	Cinnamon.....	do.....	¾	5.862	.02051	.00021
100	Lard.....	Pound.....	4	12.522	.50088	.00501
100	Butter.....	do.....	3½	28.376	.88675	.00887
100	Sirup.....	Gallon.....	1	31.122	.31122	.00311
100	Flavoring extract, lemon.....	2-ounce bottle.....	½	9.363	.06554	.00066
	Total.....				23.80398	.23804

Statement showing cost of the components of the garrison ration.

Component.	Cost.
	<i>Cents.</i>
Beef, fresh.....	7.614
Bacon, issue.....	3.227
Flour, issue.....	2.694
Baking powder.....	.112
Beans.....	.317
Rice.....	.222
Potatoes, fresh.....	1.643
Onions, fresh.....	.674
Tomatoes, canned.....	.578
Prunes.....	.260
Jam.....	.506
Apples, evaporated.....	.09
Peaches, evaporated.....	.081
Coffee, R. and G.....	1.454
Sugar.....	1.088
Milk, evaporated.....	.2
Vinegar.....	.039
Pickles, cucumber.....	.073
Salt.....	.023
Pepper, black.....	.049
Cinnamon.....	.032
Lard.....	.448
Butter.....	.799
Sirup.....	.328
Flavoring extract, lemon.....	.066
Total.....	22.617

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Regular supplies, Quartermaster Corps: Regular supplies of the Quartermaster Corps, including their care and protection, consisting of stoves and heating apparatus required for heating offices, hospitals, barracks and quarters, and recruiting stations, and United States military prison; also ranges, stoves, coffee roasters, and appliances for cooking and serving food at posts, in the field, and when traveling, and repair and maintenance of such heating and cooking appliances; authorized issues of candles and matches; for furnishing heat and light for the authorized allowance of quarters for officers and enlisted men, for contract surgeons and contract dental surgeons when stationed at and occupying public quarters at military posts, for officers of the National Guard attending service and garrison schools, and for recruits, guards, hospitals, storehouses, offices, the buildings erected at private cost in the operation of the act approved May 31, 1902; for sale to officers, and including also fuel and engine supplies required in the operation of modern batteries at established posts; for post bakeries, including bake ovens and apparatus pertaining thereto, and the repair thereof; for ice machines and their maintenance where required for the health and comfort of the troops and for cold storage; ice for issue to organizations of enlisted men and offices at such places as the Secretary of War may determine, and for preservation of stores; for the construction, operation, and maintenance of laundries at military posts in the United States and its island possessions; for the authorized issues of laundry materials for use of general prisoners confined at military posts without pay or allowances, and for applicants for enlistment while held under observation; authorized issues of soap; for hire of employees; for the necessary furniture, textbooks, paper, and equipment for the post schools and libraries; commercial newspapers, market reports, etc.; for the tableware and mess furniture for kitchens

and mess halls, each and all for the enlisted men, including recruits; of forage, salt and vinegar for the horses, mules, oxen, and other draft and riding animals of the Quartermaster Corps at the several posts and stations and with the armies in the field, and for the horses of the several regiments of Cavalry, the batteries of Artillery, and such companies of Infantry and Scouts as may be mounted; for remounts and for the authorized number of officers' horses, including bedding for the animals; for seeds and implements required for the raising of forage at remount depots, and for labor and expenses incident thereto; for straw for soldiers' bedding, stationery, typewriters and exchange of same, including blank books and blank forms for the Quartermaster Corps, certificates for discharged soldiers, and for printing department orders and reports, and for printing and binding: *Provided*, That no part of the appropriations for the Quartermaster Corps shall be expended on printing unless the same shall be done at the Government Printing Office, or by contract after due notice and competition, except in such cases as the emergency will not admit of the giving notice of competition, and in cases where it is impracticable to have the necessary printing done by contract the same may be done, with the approval of the Secretary of War, by the purchase of material and hire of the necessary labor for the purpose. For the fiscal year ending June 30, 1914, whenever the ice machines, steam laundries, and electric plants shall not come in competition with private enterprise for sale to the public, and in the opinion of the Secretary of War it becomes necessary to the economical use and administration of such ice machines, steam laundries, and electric plants as have been or may hereafter be established in pursuance of law, surplus ice may be disposed of, laundry work may be done for other branches of the Government, and surplus electric light and power may be sold on such terms and in accordance with such regulations as may be prescribed by the Secretary of War: *Provided*, That the funds received from such sales and in payment for such laundry work shall be used to defray the cost of operation of said ice, laundry, and electric plants; and the sales and expenditures herein provided for shall be accounted for in accordance with the methods prescribed by law; and any sums remaining, after such cost of maintenance and operation have been defrayed, shall be deposited in the Treasury to the credit of the appropriation from which the cost of operation of such plant is paid, \$7,634,553.

Mr. WILLIS. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. The gentleman from Ohio [Mr. WILLIS] moves to strike out the last word.

Mr. WILLIS. I do that in order to get some information from members of the committee about an item that seems to me to be very unusual and peculiar. On page 22, line 25, there is an item that seems peculiar to me. It reads there—

of forage, salt and vinegar for the horses, mules, oxen, and other draft and riding animals.

Now, I know something about horses and a little about mules, and a little, too, about oxen; but this is the first time it ever occurred to me that vinegar was a proper article of diet for them. And it can not be claimed that the vinegar referred to in this paragraph is to be used as medicine for the animals, because in line 10, page 26, distinct provision is made in a separate item for "purchase of medicines for horses and mules."

Mr. KAHN. Mr. Chairman, the vinegar, I find, is used for cleaning the troughs from which the horses eat, to keep them sweet and clean. The amount of vinegar required is exceedingly small. I believe that one-tenth of 1 gill per day is used for each animal in the service. The quantity of salt used for each animal per day is about eight-tenths of an ounce.

Mr. HAY. Mr. Chairman, on page 21, line 24, I move to strike out the word "contract" at the end of the line and insert the word "active."

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Virginia [Mr. HAY].

The Clerk read as follows:

Amend, page 21, line 24, by striking out the word "contract" at the end of the line and inserting in lieu thereof the word "active."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. HAY. Now, Mr. Chairman, on page 23, beginning on line 12, I move to strike out the words "and for printing and binding."

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Page 23, lines 12 and 13, strike out the words "and for printing and binding."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. WEBB. Mr. Chairman, I send forward an amendment.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from North Carolina [Mr. WEBB].

The Clerk read as follows:

Page 24, line 17, after the figures "\$7,634,553," insert: "*Provided*, That no part of this or any other appropriation shall be expended in payment for heat and light for quarters of officers who receive commutation of quarters."

Mr. WEBB. Mr. Chairman, I just want to call the attention of the House to the fact that the expenses of commutation of quarters is growing very rapidly. In 1906 the amount allowed was \$303,000. This bill carries \$500,000. I am making no ob-

jection to that provision, for it is law and can not be changed in this bill. The objection I have to this proposition, or, rather, to the ruling of the Treasury Department in regard to it, is that without warrant of law we are now paying \$285,000 a year to something like 950 Army officers who are detached from troops, and Congress has never authorized that \$285,000 payment as an allowance or commutation for heat and light.

The act of 1907 came as near allowing heat and light commutation as you can find in any of these statutes, and that was passed upon by the Auditor of the Treasury Department in these words:

The authorized allowance of quarters for officers and enlisted men is the allowance of quarters actually assigned to them in accordance with law and regulations. The light and heat to be paid for by the United States is strictly limited by law to that which is actually necessary for the authorized allowance of quarters for officers and enlisted men. Where there is no allowance of quarters, as authorized by law and regulations, there can be no payment for heat and light.

I am therefore of the opinion, and so decide, that there can be no legal payment by the United States for the heat and light actually necessary and actually used for the authorized allowance of quarters for officers and enlisted men unless the quarters have been assigned to them as provided by law and regulations, and that there can be no such payment for heat and light for quarters occupied by officers who have been paid or are entitled to be paid commutation of quarters for the same period.

I contend, Mr. Chairman and gentlemen, that the proper interpretation of the act of 1907 bears out that construction of the Auditor of the Treasury Department. But Mr. Comptroller Mitchell was called upon and, I imagine, importuned by officers who received this tremendous extra allowance for heat and light, he overruled the Auditor of the Treasury Department, and now it is for this House to say whether or not by law we shall allow these Army officers not only commutation for quarters but, in addition, \$19 a month extra for heat and light for a captain, and not only allowing a colonel \$12 a month for each room up to seven rooms, \$84 a month, and in addition to that \$36 for heat and light. I say Congress never intended it, and we ought not to do it.

Something was said as to what is the yearly pay of these captains and other officers. I imagine the House would be glad to know it. I have a tabulated statement, which I can make very plain, if Members desire to hear it.

I do not want the officers of the Army underpaid, and I do not think they ought to be overpaid; but if they are to be overpaid it ought to be done by the act of this body, and not by a ruling of the Treasury Department.

Mr. MANN. Will the gentleman yield for a question?

Mr. WEBB. Certainly.

Mr. MANN. The gentleman is familiar with the fact, I take it, that this appropriation has for years carried this provision:

For furnishing heat and light for the authorized allowance for quarters for officers.

Mr. WEBB. Yes; that is the point I made. The "authorized allowance" is for the allowance to officers who maintain their quarters in Government Army posts, where they have been assigned to duty. For instance, over here at Fort Myer they get their heat and light under the law as long as they stay there, but there is no allowance by law when these officers are detached from their troops and sent to Washington, San Francisco, and other places. There is no authorization by law except for quarters. It is not intended that they shall get heat and light in addition, and that gave rise to this opinion from which I have just read.

Mr. MANN. If that opinion is based on this paragraph, I should say clearly that the auditor was wrong.

Mr. WEBB. If you are going to authorize it, I think you ought to do it directly and not by indirection, and not allow the Comptroller of the Treasury Department to say what ought to be expended, when this Congress is the body that should determine.

Mr. MANN. Quarters means so much room or so much commutation.

Mr. WEBB. That is for quarters.

Mr. MANN. Yes. This provision, which has been carried for years in the appropriation bill, is for furnishing heat and light for the authorized allowance for quarters.

Mr. WEBB. Not for years, because 1907 was the first time this question arose, and it was turned down by the Auditor for the Treasury Department.

Mr. MANN. It has been carried for years.

Mr. WEBB. True; but it always applied to Government quarters where men were attached to their troops, not where they were detailed to duty away from their troops, as they are in Washington and other parts of the United States.

Mr. BURKE of South Dakota. Will the gentleman yield for a question?

Mr. MANN. Certainly.

Mr. BURKE of South Dakota. I want to call the attention of the gentleman from Illinois to the part of the provision which reads as follows:

For quarters of officers when stationed at and occupying public quarters at military posts.

The point the gentleman from North Carolina, I take it, is trying to make is that, even if there is an authorization of law upon which you can base an appropriation, there is no language in the bill that will justify an expenditure of any part of the appropriation except for fuel and light where the quarters are at a military post.

Mr. WEBB. That is my understanding exactly.

The CHAIRMAN. The time of the gentleman from North Carolina has expired.

Mr. BURKE of South Dakota. I ask unanimous consent that the gentleman from North Carolina have five minutes more.

The CHAIRMAN. The gentleman from South Dakota asks unanimous consent that the gentleman from North Carolina may have five minutes more. Is there objection?

There was no objection.

Mr. WEBB. Mr. Chairman, a captain can come to Washington and rent one or two rooms and draw commutation of quarters and for heat and light for 4 rooms for the entire year; \$219 for a captain for heat and light and \$576 for rooms. I think Congress either ought to cut that out or put it into law in plain language.

Mr. TILSON. Will the gentleman yield?

Mr. WEBB. I will.

Mr. TILSON. The gentleman does not have an idea that an officer can get a room at the Army and Navy Club for \$12?

Mr. WEBB. I suppose not, but the practice, I understand, is for two officers to occupy one suite of rooms. That is frequently done. There are 192 of them in this city, and they draw commutation for heat and light aggregating \$60,000 per year in Washington. I do not think Congress ever intended they should have that.

Mr. TILSON. How many officers do that?

Mr. WEBB. I do not know, but I can give the gentleman many instances of it. You have an officer detailed from Fort Myer, for instance, to San Francisco. He is detailed to take quarters on the *Logan*. He takes up his quarters, which are provided for him by the Government, with heat and light, splendid quarters, but he has a nominal attachment in San Francisco and draws his commutation for quarters, heat, and light, although he may never have seen a light in a room in San Francisco. When that matter came before the War Department the auditor turned it down. In order to circumvent that ruling, an additional order was made by The Adjutant General to this effect:

In consequence of the adverse decision of the Comptroller of the Treasury on a claim for the allowances of heat and light in the case of an officer detailed as transport quartermaster on a particular transport with station at San Francisco, on the ground that his station and duty were on board the transport, where heat and light were furnished by the United States, it will be necessary hereafter, in ordering officers to similar duty, to detail them in the transport service and to direct them to report to the proper superintendent in that service at the home port, for duty accordingly, without specifying their duty or the vessel on which it is to be performed.

So now, to circumvent that ruling of the comptroller, they are sent to report for duty at San Francisco and immediately ordered on the transport, and draw commutation of quarters and heat and light besides. I submit that in all good conscience that ought not to be allowed to go all the year around, drawing commutation for something he never uses and never had any use for, when such quarters and light and heat are furnished him free on the transport.

Now, Mr. Chairman, as I said a moment ago, I do not think an Army officer ought to be underpaid, neither do I think he ought to be overpaid. Let me give you an illustration of what a captain drawing commutation of quarters receives.

After serving 10 years in the Army, he gets \$2,880 salary; four rooms, at \$12 a month, \$576; heat and light commutation, \$213; total, \$3,669.92. Besides, if he buys a horse the Government gives him \$150 a year, and in addition to that, if he has two, they give him \$200. In addition he gets forage, \$140 a year. If he has two it is \$280. His stabling, the Government pays for that—\$170 for one horse or \$340 for two horses, which he is entitled to.

A captain detailed for duty here in Washington—and I do not know what they have to do—draws \$4,120.92, including stabling and forage.

A colonel gets \$5,000 a year salary straight. Seven rooms, \$12, \$1,008; commutation heat and light—which the Government never intended he should have—\$315.20; total, \$6,323.20. He is paid \$140 if he has bought a horse and \$280 if he has two. One hundred and seventy dollars it cost for feeding him and

\$340 for stabling the two horses, a total of \$6,843.20 which the Government pays for the services of a colonel.

Mr. HELM. Will the gentleman yield?

Mr. WEBB. Certainly.

Mr. HELM. Does the officer have to buy his own bridle and saddle?

Mr. WEBB. I can not tell. I found so much that was furnished free that I became weary in going over what they did get.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HELM. Mr. Chairman, I ask unanimous consent that his time be extended.

Mr. WEBB. Mr. Chairman, I am about through, and I want to say only one or two words more. I would like to have two minutes.

The CHAIRMAN. The gentleman from North Carolina asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. WEBB. Mr. Chairman, for some reason or other I say this detail business is growing. It is fat pickings. We have 4,704 officers in the United States, and nearly one-fourth of them are on detail duty, where they get commutation of quarters and heat and light. In other words, we pay out on account of this heat and light in the United States for these detail officers about \$285,000, and I am informed that it would shock the House to know what tremendous amounts for heat and light officers detached or attachés of the United States in foreign countries, and especially in Madrid, Spain, draw. I am trying now to get that information, and I shall give it to the House a little later if I can.

Mr. HELM. Does the gentleman know that these officers of the Army have their medical attention furnished free?

Mr. WEBB. Yes; they have a medical doctor and a horse doctor.

Mr. HELM. Do they also have a dentist?

Mr. WEBB. I see dental surgeons are provided for. I imagine they do. They also get all of the food they eat, if they want to, at Government prices, and therefore I think the officers are well paid, and that they ought not to have this extra commutation on account of heat and light.

Mr. GARNER. Mr. Chairman, how do they get this compensation unless it is authorized by law?

Mr. WEBB. If the gentleman had been on the floor when I began, I think he would have understood.

The CHAIRMAN. The time of the gentleman from North Carolina has again expired.

Mr. GARNER. Mr. Chairman, I ask unanimous consent that the gentleman's time be extended for one minute.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WEBB. Mr. Chairman, I would state that Congress never intended that this heat and light commutation should be allowed to detached officers who draw commutations for quarters, but the Comptroller of the Treasury overruled the decision of the Auditor of the Treasury and held it was an incident to quarters commutation and therefore they are given both quarters and heat and light commutation.

Mr. HELM. Do these officers of the Army have a place to store their baggage?

Mr. WEBB. Yes; and if an officer moves the Government pays the freight on his goods and baggage. Not only does the Government pay the freight, but it pays for crating his household goods.

Mr. HELM. Do they get storage charges free?

Mr. WEBB. I imagine they would get such a little thing as that free. They get so much else.

Mr. HAY. Mr. Chairman, I hope that the committee will not adopt the amendment offered by the gentleman from North Carolina. I want to point out why these officers on detached service receive this commutation for heat and light. Every officer of the Army when he is stationed at a military post where quarters are furnished him also receives from the Government heat and light. He receives also forage for his horses and medical attention. He receives everything that the Government has an implied contract with him to furnish when he goes into the Army. When the officer is ordered away from the military post, where he is furnished all of these things free of charge, and is ordered to take station in a city where the Government has no quarters for him, it has been the custom to give him a commutation of quarters, about which the gentleman does not complain, as I understand.

Mr. WEBB. I want to say that I do not complain, because it is useless to complain. I could not change that in an appropria-

tion bill by amendment, because such amendment would be subject to a point of order. It might be too high or too low, but I am not taking issue with the chairman on that.

Mr. HAY. That is what I say. It is regarded as just that these officers who are brought here upon orders should receive commutation for heat and light. They do not come here because they want to come, but they are ordered here. They have to come whether they want to come or not. They come here from a post where all of these things are furnished them, and because they are ordered here and have to obey orders is that a reason why there should be taken from them what they are already receiving, and that they should be compelled to pay out of their own pockets for expenses which they must incur by obeying orders? That is the philosophy of this allowance for heat and light and for commutation of quarters.

Mr. ROBERTS of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes.

Mr. ROBERTS of Massachusetts. To take away from the officer detached from his post that which he has at the post would be to penalize him for performing his duty away from the post.

Mr. HAY. Of course. And I may say to the gentleman from North Carolina that every custom is more or less abused, but I do want to say this: That these Army officers as a class are as clean and honest a set of men as I have ever been brought in contact with. [Applause.]

If some of them have abused this privilege it is no reason why all of them should be punished. Now, if there is a colonel or a captain who is living in Washington in one room and drawing commutation of quarters for four rooms or six rooms, that is no reason why another captain who has to bring his family here and who may be living in five or six rooms should be punished because this other man is abusing the privilege which is given him.

Mr. WEBB. My understanding is that Congress when it authorized \$12 per room per month, four rooms to a captain, seven rooms to a colonel, and eight to a brigadier general and so on up, intended that that amount of commutation should be for quarters and heat and light. The gentleman probably knows that you can rent apartments in most any apartment house in this city for \$12 a month per room where they furnish the heat and a great many of them the light.

Mr. HAY. No; I do not know any apartment house where you can rent for \$12—

Mr. WEBB. I meant per room, with heat and sometimes light furnished.

Mr. HAY. I do not know where you can get rooms in an apartment house for \$12.

Mr. WEBB. I can tell the gentleman a great many.

Mr. HAY. Of course there are some places where rooms can be rented for \$12 a month, but neither the gentleman nor I would probably care to live there.

Mr. WEBB. Oh, yes; in good apartment houses.

Mr. HAY. Well, I do not know where they are. I say the philosophy and the reason for this allowance of heat and light is based upon the fact that when they are stationed at military posts they receive it and when they are ordered away and detached away from their posts there is no reason why they should be penalized and made to pay what they would not have to pay if they stayed at the military post, and a great majority of them would prefer to do it. When they are ordered to a large city like this on detached service they are put to a great deal of expense which they do not have to incur when stationed at the military post, and there is no justice in my opinion in taking away from them this allowance.

The CHAIRMAN. The time of the gentleman from Virginia has expired.

Mr. HAY. I ask for two minutes more.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. HAY. And the statement of the gentleman from North Carolina that when this commutation was allowed that that included heat and light I think is erroneous. My recollection is that the officer was allowed \$3 for a cord of wood; that is the way this heat proposition first began; he was allowed so much wood, at \$3 a cord, to heat his quarters, and from that grew the present arrangement by which his heat is allowed. I agree with the gentleman from North Carolina that this practice of the transport officers being allowed heat and light, when they do not get them, is altogether wrong and ought to be taken away, and I will be very glad to unite with the gentleman in trying to do it, and if he will put an amendment to this bill or offer an amendment to the bill pro-

viding that no part of this appropriation shall be paid to that class of officers I shall as cheerfully advocate it and be in favor of it, but I do not think—

Mr. ANTHONY. Will the gentleman permit an interruption?

Mr. HAY. Certainly.

Mr. ANTHONY. Can not the allowance of commutation of quarters of heat and light to that officer detached for transport duty be justified? Now, it occurs to me that that is temporary duty to which that officer is assigned, for instance, as the quartermaster of a transport. He has a family and he is assigned to duty on that transport, and if you compel him to pay for rent and quarters for his wife and family while he is doing special duty for the Government, I think he is entitled to quarters for his family as much as if he stays with his regiment.

Mr. HAY. Well, I had not looked at it in that light.

Mr. ANTHONY. That just occurred to me and I believe that will be found to be the case and you will be imposing a hardship on such an officer.

Mr. HAY. I was thinking about the officer who did not have a family and who was living on the transport.

Mr. WEBB. I call the gentleman's attention that the act of 1907 was, "provided hereafter the heat and light actually necessary for authorized allowance of officers, and so forth."

Mr. HAY. If the gentleman will put those words in his amendment I will agree to it.

Mr. WEBB. That is the law now so far as it affects officers assigned to quarters with their troops.

Mr. HAY. As I understand it the commutation has been upon the number of rooms, heat and light, that is allowed to each officer according to his rank, and I think they have endeavored not to give the officer more than he is entitled to or give him some emolument that he ought not to have, and they have endeavored in a proper and just way to ascertain just what that allowance ought to be and what is actually necessary for them to have in order to have it. I hope the amendment of the gentleman from North Carolina will not prevail.

Mr. BURKE of South Dakota. I would like to have the attention of the chairman of the committee [Mr. HAY]. As I followed the gentleman from North Carolina [Mr. WEBB], I take it that he is not criticizing so much that this money is expended—while I do not think it meets with his best judgment—but he questions that it is being expended for purposes which Congress did not intend. And I want to say that there is no committee of this House in whose judgment I have greater confidence or that I am willing to follow more readily and willingly, than the Committee on Military Affairs, and that I am not criticizing in any way the work of the committee. But I do want to call their attention to what I believe is language in this bill that is limited and yet expenditures are being made under it that are not authorized by the bill. I would call the gentleman's attention to the bottom of page 13, where he provides for commutation of quarters to commissioned officers. Then, I would call his attention to page 21, after the semicolon on line 22, where it says:

For furnishing heat and light for the authorized allowance of quarters for officers and enlisted men, for contract surgeons, and contract dental surgeons when stationed at and occupying public quarters at military posts.

I say to the gentleman that if he were a disbursing officer of the Government he would not undertake to expend a dollar for the commutation of fuel and light in the face of the limitation that is placed upon this appropriation. And, as the gentleman from North Carolina [Mr. WEBB] stated, the Treasury Department turned down an account for commutation of fuel and light because it was not authorized, and I think that when the Auditor for the War Department made that decision he placed upon the law the interpretation that it not only bears, but that Congress intended, and that the comptroller was wrong in his decision holding otherwise.

I want to ask the gentleman from Virginia [Mr. HAY], the chairman of the committee, a question. I want to ask the gentleman from Virginia that, assuming that it is authorized by law that there may be commutation of allowances for fuel and light, if he believes that this language would permit of the expenditure of any part of the appropriation for commutation of fuel and light?

Mr. HAY. No; I do not think so. I understand that it is disbursed under the act of 1907.

Mr. BURKE of South Dakota. There may be an act of 1907 which justifies an appropriation being made, but I do not think there is; but unless we directly authorize the appropriation, no disbursing officer would be safe in expending any part of it. This appropriation says that it is for furnishing heat and light

where officers are stationed at and occupy public quarters at military posts; that does not authorize expending any part of it for commutation of fuel and light.

Mr. HAY. I will state to the gentleman that this money which is disbursed to officials for heat and light when they are stationed away from military posts is not disbursed under the language to which he has just called attention.

Mr. BURKE of South Dakota. Will the gentleman point out the language?

Mr. HAY. It is disbursed by virtue of the act of 1907, which has this provision in it:

Provided, That hereafter the heat and light actually necessary for the authorized allowance of quarters for officers and enlisted men shall be furnished at the expense of the United States under such regulations as the Secretary of War may prescribe.

Mr. BURKE of South Dakota. I think that the interpretation of that act is that it only intends to pay the actual cost of the fuel and light at a military post.

Mr. HAY. No; not at all; because this is a permanent law. The words and language to which the gentleman has referred are carried in the bill every year.

Mr. BURKE of South Dakota. Certainly. I would like to ask the gentleman so that he can catch my point. If the gentleman wants to make this appropriation available for the commutation of fuel and light, why does he not say so in the bill?

The CHAIRMAN. The time of the gentleman from South Dakota [Mr. BURKE] has expired.

Mr. BURKE of South Dakota. Mr. Chairman, I ask unanimous consent for two minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. BURKE of South Dakota. Then I ask him why not include the words "and for commutation of fuel and light"? I am like the gentleman from North Carolina [Mr. WEBB]; if this is going to be done, let us authorize it.

Mr. HAY. It is already authorized in existing law; and under the act of 1907, as I say, the Chief of the Quartermaster Corps now has the right, out of this appropriation for regular supplies, to furnish the heat and light actually necessary under the authorized allowance of quarters for officers and enlisted men.

Mr. BURKE of South Dakota. I would like to ask the gentleman if he believes it is good administration to make appropriations to be expended in accordance with the regulations of the head of a department?

Mr. HAY. I do not think so as a general proposition, but in a matter of this sort it was impossible for Congress to say exactly how it should be fixed.

Mr. BURKE of South Dakota. Well, I will say to the gentleman that Congress did fix it, so far as commutation of quarters were concerned, by designating the number of rooms according to the rank of the officer, and it would be just as easy for Congress to say the same thing in regard to the commutation of fuel and light.

Mr. HAY. I think not, because light, for instance, costs more in one city than it does in another, and fuel costs more in one city than in another, and it is impossible to do it.

Mr. BURKE of South Dakota. Is not that true of rent also?

Mr. HAY. That is also true of rent, but the rent is fixed in amount to \$12 a room.

Mr. BURKE of South Dakota. The rent is higher in one part of the country than in another.

Mr. HAY. That is true; but we figure it at \$12 per room.

Mr. BURKE of South Dakota. You do not have to go outside of the city of Washington to find that out. Unless the gentleman from Virginia [Mr. HAY] will consent to an amendment, I shall vote for the amendment offered by the gentleman from North Carolina [Mr. WEBB].

Mr. MANN. Mr. Chairman, I would like to make a little contribution on this subject. I had this matter called to my attention through the activities of the Public Health and Marine-Hospital Service, or Members of Congress in their behalf, seeking to obtain an increase in the pay and commutation for quarters and allowance for heat and light. Last year one of the ablest committees of this House—

Mr. MADDEN. Which one?

Mr. MANN. The Committee on Interstate and Foreign Commerce—unanimously reported a certain bill into the House, which has passed recently, I believe, unanimously, in relation to the Public Health Service, and included this language concerning the officers of the Public Health Service:

And shall receive commutation for necessary fuel and light for the same—

That is, the room—

at rates to be fixed by the Secretary of the Treasury.

The same proposition had been presented before the committee when I was the chairman of it, and I had declined to favor any proposition which provided a commutation for heat and light for officers in the Public Health Service. The bill that was passed last year was passed leaving that out. The officers of the Public Health Service insisted—no; I will not say "insisted," because they were very gentlemanly and courteous about it—they thought, at least, that they were entitled to the same allowances which were made for the Army and Navy and the Revenue-Cutter Service.

As an original proposition I would not be in favor of giving light and heat to Army officers, but the naval officers receive it, and at the present time the revenue-cutter officers receive it. Possibly they would lose it if this amendment went in, because my recollection is that they receive the same allowances as are made to officers of the same importance in the Army and in the Navy. I think they have it so worded in the Revenue-Cutter Service law that the revenue-cutter officers get the benefit of any increases or allowances that are made either to the Army or to the Navy. That is in accordance with a bill that passed this House. Many gentlemen voted for it at the time. I did not.

Now, these officers receive this light and heat. It is a part of their compensation. Possibly there was originally no good reason for granting it. They were given light and heat in kind when they were given quarters in kind. If they occupied actual quarters the Government furnished the light and heat. It seemed perfectly reasonable in the first place that if an officer was to be given quarters in a Government building free, and could not obtain those quarters, then he ought to receive some compensation in lieu thereof. Possibly the same would be true with respect to light and heat.

The gentleman from South Dakota [Mr. BURKE] suggested to the gentleman from Virginia [Mr. HAY] that Congress ought to fix it. My distinguished friend from Virginia replied, "Oh, but light and heat differ in price and cost in different cities." And yet it makes no difference whether they do or not, they all get the same. Light may cost more in San Francisco than it does in Washington, although I doubt it. If there is anything that has practically the same cost, light and heat and rent of rooms vary widely. But we fixed that by act of Congress. Light and heat, which we could easily fix, we do not fix by act of Congress, but leave it to regulation. The regulation is not excessive, probably. The amount is in the neighborhood of \$3 a month for all of this service.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from North Carolina [Mr. WEBB], which the Clerk will report.

The Clerk read as follows:

Page 24, line 17, after the figures "\$7,634,553," insert: "Provided, That no part of this or any other appropriation shall be expended in payment for heat and light for quarters of officers who receive commutation of quarters."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the Chairman announced that the "ayes" seemed to have it.

Mr. HAY. A division, Mr. Chairman.

The committee divided; and there were—ayes 24, noes 16.

Accordingly the amendment was agreed to.

Mr. SMITH of Texas. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend, page 24, line 17, by striking out the figures "\$7,634,553" and inserting in lieu thereof the figures "\$7,647,353," and add the following: "Provided, That of the sum herein appropriated \$12,800 may be used to provide necessary heating apparatus in any buildings which may be constructed in connection with Fort Bliss, Tex."

Mr. HAY. I reserve a point of order on that amendment.

Mr. SMITH of Texas. Mr. Chairman, when the paragraph in this bill is reached relating to barracks and quarters, I intend to offer another amendment providing for the construction of additional barracks and quarters at Fort Bliss, Tex., and this amendment providing for heating apparatus for buildings at that place is intended to provide heating apparatus for the buildings which will be provided in that amendment. So the question of constructing additional barracks and quarters at Fort Bliss, Tex., is involved in this amendment.

Mr. FOSTER. May I interrupt the gentleman? I should like to inquire if Fort Bliss is one of the forts that it is proposed to abandon when the consolidation is made, or whether it is proposed to keep it up?

Mr. SMITH of Texas. It is a post that is proposed to be made permanent and kept up.

For the information of the House I send to the Clerk's desk two letters from the War Department bearing upon this question and ask that they be read.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

WAR DEPARTMENT,
Washington, January 6, 1913.

HON. JAMES HAY,
Chairman Committee on Military Affairs,
House of Representatives.

SIR: I return herewith bill H. R. 21281, authorizing the Secretary of War to enlarge Fort Bliss, Tex., into a regimental post, referred to this department for information and remark by your indorsement, and received on the 3d instant.

The accommodations now at Fort Bliss are for a battalion of Infantry, but other troops are stationed there, for the time at least, and a comparatively small sum of money is now being expended in the erection of temporary shelter for a part of these additional troops. In the plans of the War Department, in which considerable progress has been made, although a final conclusion with reference to the whole country has not been reached, it is contemplated that a regiment of Cavalry shall be stationed at Fort Bliss, as being a railroad center and probable future center of population for the region along the Mexican border between San Antonio and the Pacific coast. The plan, therefore, calls for the enlargement of the post to the extent contemplated in the bill, and since the necessary garrison is now without permanent shelter, there is no project of construction in the United States proper which is now more pressing than this one.

The principal present concern of this department, however, as regards the construction of additional accommodations for troops is for the housing of the necessary garrisons for our foreign possessions, including the Panama Canal Zone, which are now without the number of troops which prudent forethought requires. The department has therefore not included an estimate for the enlargement of Fort Bliss among those which it has sent to Congress of the appropriations for the coming fiscal year, but it has been the intention to submit such an estimate after the appropriations shall have been secured, as contemplated, for the foreign possessions.

Very respectfully,

HENRY L. STIMSON,
Secretary of War.

(Supplemental estimates for construction work at Fort Bliss, Tex.)
JANUARY 15, 1913.

The honorable the SECRETARY OF THE TREASURY.

SIR: 1. Herewith is forwarded for transmission to Congress supplemental estimates under appropriations—

Barracks and quarters, in the sum of.....	\$306,180
Regular supplies.....	25,600
Water and sewers, military posts.....	20,020
Total.....	352,400

required by the War Department for the fiscal year 1914 for the construction of the necessary barracks, officers' quarters, and other buildings, including heating, lighting, and water and sewers, required at Fort Bliss, Tex., for the accommodation of one regiment of Cavalry.

2. The submission of these estimates at the present time is made necessary in order to provide for two additional squadrons of Cavalry now in camp and temporary shelter at that post.

3. The conditions existing at Fort Bliss in the matter of quarters and necessary shelter is fully set forth in the accompanying memorandum of the Chief of the Quartermaster Corps, United States Army, which is made a part of this estimate.

4. The estimates were not included in the regular estimates for the fiscal year 1914, for the reason that the establishment of a regimental post at Fort Bliss had not at that time been definitely determined upon by the department.

Respectfully,

H. L. STIMSON,
Secretary of War.

This recommendation is not intended to supplant or modify the stress laid upon the paramount importance of completing the posts in Hawaii and Panama.

H. L. STIMSON.

Mr. SMITH of Texas. Mr. Chairman, I have a more detailed statement of the estimates by the War Department, which I will insert in the RECORD as a part of my remarks.

The statement is as follows:

WAR DEPARTMENT,
OFFICE OF THE CHIEF OF THE QUARTERMASTER CORPS,
Washington, January 15, 1913.

1. In view of the fact that it has been decided to station a regiment of Cavalry at Fort Bliss, Tex., the following supplemental estimates are submitted for the construction of the necessary shelter for the troops at that post.

2. The following statement, relative to the status of barracks and quarters and the necessary buildings at Fort Bliss, is submitted in connection therewith:

The following buildings are now at this post:

(A) PERMANENT STRUCTURES.

4 barracks, 78 men each.
6 double noncommissioned officers quarters.
14 single officers' quarters, line.
1 commanding officer's quarters.
1 quartermaster stable, 50 animals.
1 six-set bachelor officers' quarters.
1 fire-apparatus house.
1 guardhouse.
1 powder magazine.
1 hospital.
1 mess hall, 425 men.
1 post exchange and gymnasium.
1 bowling-alley building.
1 power house and heating plant.
1 hospital steward's quarters.
2 blacksmith and wheelwright shops.
1 coal shed.

1 forage shed.	
1 hay storehouse.	
1 ordnance storehouse.	
1 quartermaster storehouse.	
1 subsistence storehouse.	
1 wagon shed.	
1 ice plant.	
(B) TEMPORARY STRUCTURES BUILT FROM FUNDS OF FISCAL YEAR 1913.	
9 temporary stables.	\$12,138.20
8 temporary troop barracks.	15,200.00
Temporary shelter for wagon masters, teamsters, etc.	476.00
Addition to veterinary hospital.	4,000.00
Temporary shelter for animals, First Battalion, Eighteenth Infantry.	256.48
Bathhouses and closets for Second Squadron, Second Cavalry.	1,100.00
Plumbing in same.	1,934.00
Walling up houses and kitchens and constructing temporary kitchens and dining rooms, flooring of tents, etc.	4,315.00
Sewer in rear of officers' quarters (permanent).	8,300.00
Total.	47,719.68

The annual apportionment from fiscal year 1913, for barracks and quarters, was \$5,000. The total apportionment was \$6,865.

(C) TEMPORARY STRUCTURES BUILT FROM FUNDS OF FISCAL YEAR 1912.	
4 Cavalry stables.	
1 veterinary hospital.	

RECAPITULATION.

12 barracks.	
13 Cavalry stables.	
15 sets officers' quarters, single.	
1 six-officer set.	
1 mess hall.	
1 quartermaster stable.	
And the miscellaneous buildings mentioned above.	
All of the permanent structures are in good condition and are satisfactory for their purposes. This office has no information as to what the temporary structures are.	
There is an amount of \$48,000, "Barracks and quarters," for this post in the 1914 estimate. This will provide 8 sets of officers' quarters, making accommodations for 20 officers.	
It will be seen that, with the exception of officers' quarters, a regiment of Cavalry can be cared for at Fort Bliss, but that many of the structures are temporary. In order to provide permanent buildings the following will be necessary, assuming that the mess hall will accommodate the regiment in two shifts:	
8 troops barracks, with lavatories.	\$101,260
1 band barracks, with mess and lavatory.	6,640
13 stables.	63,500
4 double stable, guard, and shop buildings.	14,800
1 guardhouse.	20,000
2 hay sheds.	9,000
1 ordnance storehouse.	3,000
15 single officers' quarters.	74,700
4 double noncommissioned officers' quarters.	13,280
"Water and sewers" for water and sewer systems.	20,620
"Regular supplies" for heating and lighting.	25,600
Total.	352,400

This estimate contemplates the use of wood frames and metal laths and cement plaster by the cement gun process for all except the guardhouse and ordnance storehouse, which will be of concrete, and the hay sheds, which will be of galvanized iron.

In addition to the above buildings, provided the construction work referred to is carried out, it will be necessary to construct at a later date an addition to the hospital at that post. This is not included in the supplemental estimates submitted in view of the fact that such construction work will have to be done from the appropriation "Construction and repair of hospitals," and the addition is not absolutely necessary at the present time.

(Signed) J. B. ALESHIRE,
Chief, Quartermaster Corps.

Mr. SMITH of Texas. Mr. Chairman, I regret very much that these estimates were not sent in for the consideration of the committee before the bill was reported to the House, because I am convinced that from the facts that could have been laid before the committee they would not have hesitated a moment to provide for this work. I do not understand the reason of the War Department, as stated in one of the letters which I have had read to the committee, for withholding these estimates until appropriations have been secured for the construction of barracks and quarters in our foreign possessions. It does seem to me that the proper and fair way to have presented this matter would have been to submit all of the estimates and lay all the facts before the committee, and have had the committee decide which of these projects was of the most pressing necessity.

Mr. MONDELL. Will the gentleman yield?

Mr. SMITH of Texas. Yes.

Mr. MONDELL. Is Fort Bliss, Tex., one of the points of concentration, or in the vicinity of one of the points of proposed concentration, of which we have heard so much of late?

Mr. SMITH of Texas. I am not posted in regard to that. This post is some six or seven hundred miles from Fort Sam Houston, and the War Department states that it is necessary to maintain a regiment of Cavalry there for an indefinite length of time in the future. I want to state to the gentleman that there is a large body of Cavalry now there which has been there, I believe, for almost two years, patrolling the border. The War Department has decided that it is necessary to keep them there indefinitely.

Fort Bliss is a small post with accommodations for a battalion of Infantry. A large part of the troops stationed there now are living in tents, practically outdoors. I was there a few weeks ago and saw them. During the severe weather that we have had recently, when the thermometer there was 4 below zero, our officers and men down there were living practically outdoors, and that condition will continue to exist unless an appropriation is made and these barracks and quarters are constructed.

Mr. MANN. Are not these troops there temporarily on account of conditions in Mexico?

Mr. SMITH of Texas. They are there on account of conditions in Mexico. The War Department has determined that it will be necessary to keep them there in the future.

Mr. MANN. The War Department can not determine as to the future. Now, is it the gentleman's contention that where the Army is used in field operations for emergency purposes the Government should construct permanent barracks in every place of that kind?

Mr. SMITH of Texas. No, I do not contend that; and I am as far from advocating an appropriation for a post of that kind as any man in the House. This is a post that they have decided to make permanent in the future and keep a full regiment of Cavalry there. I believe myself it is going to be necessary to do it for years to come and maybe always.

Mr. MANN. Suppose Congress should do what the House attempted to do last year, throw the Cavalry on the waste heap; then it could not be kept there. We may determine that we have too many regiments of Cavalry.

Mr. SMITH of Texas. I say that as long as we keep these troops down there we ought to give them shelter. I believe in sheltering our Army wherever it is, and especially situated as these troops are, in the most active service of the Government, and has been for some time past and will be for some time in the future. We can not expect officers and men to live out of doors on the border. I submit that this amendment ought to be adopted, and barracks and quarters ought to be provided for.

Mr. HAY. Mr. Chairman, I sympathize with my friend from Texas in his desire to have this appropriation made, and if it were only this small increase of appropriation for this item, I do not know that I would object to it or raise a point of order. But other amendments are to follow, as he states himself, which would make the entire amount to be appropriated in this bill \$185,000. The Committee on Military Affairs has had no opportunity to investigate the matter. It is brought up here without our having had that opportunity, and under these circumstances I feel compelled to make the point of order.

The CHAIRMAN. The amendment proposes to give authority which we have not at present. It does not effect a reduction, and the point of order is sustained. The Clerk will read.

The Clerk read as follows:

Incidental expenses, Quartermaster Corps: Postage; cost of telegrams on official business received and sent by officers of the Army; extra pay to soldiers employed on extra duty, under the direction of the Quartermaster Corps, in the erection of barracks, quarters, and storehouses, in the construction of roads and other constant labor for periods of not less than 10 days, and as clerks for post quartermasters at military post, and for prison overseers at posts designated by the War Department for the confinement of general prisoners, and for the United States military prison guard; of extra-duty pay at rates to be fixed by the Secretary of War for mess stewards and cooks at recruit depots, who are to be graduates of the schools for bakers and cooks, and instructor cooks at the schools for bakers and cooks; for expenses of express to and from frontier posts and armies in the field, of escorts to officers or agents and to trains where military escorts can not be furnished; authorized office furniture; authorized issues of towels; hire of laborers in the Quartermaster Corps, including the care of officers' mounts when the same are furnished by the Government, and the hire of interpreters, spies, or guides for the Army; compensation of clerks and other employees to the officers of the Quartermaster Corps, and clerks, foremen, watchmen, and organist for the United States military prison, and incidental expenses of recruiting; for the apprehension, securing, and delivering of deserters, including escaped military prisoners, and the expenses incident to their pursuit, and no greater sum than \$50 for each deserter or escaped military prisoner shall, in the discretion of the Secretary of War, be paid to any civil officer or citizen for such services and expenses; for a donation of \$5 to each dishonorably discharged prisoner upon his release from confinement, under court-martial sentence, involving dishonorable discharge; for the following expenditures required for the several regiments of Cavalry, the batteries of Field Artillery, and such companies of Infantry and Scouts as may be mounted. The authorized number of officers' horses and for the trains, to wit: Hire of veterinary surgeons, purchase of medicines for horses and mules, picket ropes, blacksmith's tools and materials, horseshoes and blacksmith's tools for the Cavalry service, and for the shoeing of horses and mules; chests and issue outfits; and such additional expenditures as are necessary and authorized by law in the movements and operations of the Army, and at military posts, and not expressly assigned to any other department, \$1,960,000.

Mr. MANN. Mr. Chairman, I reserve a point of order. I would like to ask the gentleman as to page 25, line 8, what is the extra-duty pay for mess stewards and cooks and instructor cooks?

Mr. HAY. Really, I can not tell the gentleman. I do not know what the extra-duty pay is that has been fixed. The usual extra-duty pay for enlisted men is sometimes 50 cents and sometimes 35 cents a day. I think the cooks are paid more than that for extra duty.

Mr. MANN. Why is it necessary to insert the authority to the Secretary of War to fix this extra-duty pay?

Mr. HAY. I think that provision of the law was in the former bill under the head of "Subsistence in the Army."

Mr. TILSON. Mr. Chairman, with the permission of the gentleman, I believe I can give the information asked for by the gentleman from Illinois as to the extra-duty pay of cooks. On page 185 of the hearings it is given in general order 142, as follows:

General Orders,
No. 142.

WAR DEPARTMENT,
Washington, October 21, 1911.

Paragraph 333, Army Regulations, is amended to read as follows: "In case the mess stewards and cooks at recruit depots are graduates of the schools for bakers and cooks, extra-duty pay will be paid them by the Subsistence Department at the following rates, approved by the Secretary of War: To mess stewards, \$1 a day, and to cooks, 50 cents a day, and they will receive no further extra compensation."

Mr. MANN. I see that it was carried last year under the head of "Subsistence." Now, may I ask the gentleman, referring to lines 12 and 13, for the payment of escorts to officers or agents: Heretofore that provision has been carried as to the payment of escorts to paymasters and other disbursing officers, where I can readily see there was a reason for having an escort to protect him. What object is there in allowing this authority to the department when some gentleman gets in the Army sometimes as an officer who is very fond of his regimentals, and orders out a lot of people to escort him to some place? Why should we pay for that?

Now, I will not say that it will occur, but we just had demonstrated that under a provision of the law which probably no one contemplated at the time the provision was inserted they allowed commutation of light and heat. If you put this provision in the law allowing for the payment of an escort for any officer of the Army, and that officer has the power to order out an escort to take him to any place, I do not know whether any of us would be able to resist the temptation.

Mr. KAHN. If the gentleman will allow me, the chief of the Quartermaster Corps, when he appeared before the committee, explained that there was no allowance made for this particular item from the last bill. The item was carried in the appropriation, but the department did not set aside any funds for that purpose. This is simply asked for to be carried in case the need should arise for it.

Mr. MANN. What need can arise for the payment of an escort for an officer of the Army who is not in any manner a disbursing officer?

Mr. HAY. Mr. Chairman, I notice in the last bill that this language was used:

Of escorts to paymasters and other disbursing officers, and to trains where military escorts can not be furnished.

I am willing to amend the language in this bill by making it read:

Of escorts to officers and agents of the Quartermaster Corps.

The pay officers are now in that corps.

Mr. MANN. Very well. I withdraw the point of order.

Mr. HAY. Mr. Chairman, I move to amend, on page 25, line 13, by inserting after the word "agents" the words "of the Quartermaster Corps."

The Clerk read as follows:

Amend, page 25, line 13, after the word "agents," by inserting "of the Quartermaster Corps."

The CHAIRMAN. The question is on agreeing to the amendment.

The question was taken, and the amendment was agreed to.

The Clerk read as follows:

Horses for Cavalry, Artillery, Engineers, etc.: For the purchase of horses of ages, sex, and size as may be prescribed by the Secretary of War, for remounts, for officers entitled to public mounts, for the Cavalry, Artillery, Signal Corps, and Engineers, the United States Military Academy, service schools, and staff colleges, and for the Indian scouts, and for such Infantry and members of the Hospital Corps in field campaigns as may be required to be mounted, and the expenses incident thereto, and for the hire of employees: *Provided*, That the number of horses purchased under this appropriation, added to the number now on hand, shall be limited to the actual needs of the mounted service, including reasonable provisions for remounts, and, unless otherwise ordered by the Secretary of War, no part of this appropriation shall be paid out for horses not purchased by contract after competition duly invited by the Quartermaster Corps and an inspection under the direction and authority of the Secretary of War. When practicable, horses shall be purchased in open market at all military posts or stations, when needed, at a maximum price to be fixed by the Secretary of War: *Provided further*, That no part of this appropriation shall be expended for the purchase of any horses below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy, \$325.240.

Mr. CULLOP. Mr. Chairman, I desire to ask the chairman of the committee a question in regard to the purchase of horses. Two years ago, as I remember it, when the military bill was under consideration, there was a clause inserted that the Army should undertake to raise horses for its use.

Mr. HAY. There never was any such clause as that. The gentleman does not mean to breed horses?

Mr. CULLOP. As I understood it at that time they were to make the experiment. Was that experiment made?

Mr. HAY. No. There never has been any provision in the Army bill for breeding horses by the Government.

Mr. CULLOP. Was there not a provision for buying young horses?

Mr. HAY. Yes. There was a provision some time back for remount stations, where young horses are broken and trained for the use of the Army.

Mr. CULLOP. As I remember it, there was quite a debate in the House on that question at the time the Army appropriation bill was under consideration.

Mr. HAY. Yes; and that has proved to be a very excellent experiment, and a larger proportion of horses are now bought when young and broken at these remount stations, of which there are three in the country, and then furnished to the Army.

Mr. CULLOP. What I want to inquire is, are they kept in reserve while they are breaking them and raising them?

Mr. HAY. They do not raise them. They are kept at the remount stations until broken and made ready for use.

Mr. CULLOP. At what age do they purchase them?

Mr. HAY. From 2 to 3 years old.

Mr. CULLOP. How long after purchase before they can be used by the service?

Mr. HAY. If a horse is 3 years old, he can be used in about a year.

Mr. CULLOP. So that plan has been adopted and is working out well?

Mr. HAY. Yes.

Mr. WEBB. Mr. Chairman, may I ask the chairman of the committee a question?

Mr. HAY. Certainly.

Mr. WEBB. Mr. Chairman, I understand that the Government buys the young horses at the age of 2 or 3 years and later on sells them to the officers.

Mr. HAY. No; I do not think they do. I think the officer has to buy his own horses.

Mr. WEBB. But he buys them from the remount stations.

Mr. HAY. I think not.

Mr. WEBB. My information is that the Government buys these young horses and keeps them until they are developed into good horses, and then the officer buys them; that the Army regulation provides that he shall pay for them the average price, so that a horse that is worth \$240 on the market is sold to the officer for \$146.

Mr. HAY. I do not so understand. I understand that these horses from the remount stations are furnished to the Army for the Cavalry and Field Artillery, and they are not sold to the officer or to anybody else. They are Government property used by the Government.

Mr. WEBB. I think the chairman of the committee will find that the Army officers have the privilege of buying these horses which were once ponies.

Mr. HAY. They never were ponies. They were young horses.

Mr. WEBB. Not ponies, but young horses, but they are permitted by the War Department to buy them at the average price, and consequently a horse that would sell for \$250 on the market is bought for \$146. My idea is that the officer ought to pay the Government the price of the horse and the cost of maintaining him for two or three years, at least.

Mr. HAY. I will say to the gentleman that I will ascertain whether that practice is in vogue, and if that is true I agree with the gentleman that the officer ought to pay as much as anybody else.

Mr. CULLOP. Mr. Chairman, I would like to ask the chairman of the committee another question with reference to the purchase of horses. Is that done after advertising, or is it done by going out to auction sales?

Mr. HAY. I think horses are purchased in the open market, and an officer is sent out to buy them.

Mr. CULLOP. Advertisements are made and circulated in the locality that at a certain time horses will be purchased there for the use of the Government?

Mr. HAY. Yes; and the officer buys the horses.

Mr. CULLOP. And they are put in competition with other horses owned by persons who have them for sale.

Mr. HAY. Anybody who has a horse to sell can take his horse and have it examined.

Mr. KAHN. The language of the section shows the horses are purchased in the open market.

Mr. SLAYDEN. Mr. Chairman—

The CHAIRMAN. Has the gentleman from North Carolina concluded?

Mr. WEBB. Mr. Chairman, the first provision in the beginning of this section is for the purchase of horses of the ages, sex, and size, and so forth, United States Military Academy. Do I understand that is to buy polo ponies for use at the Military Academy?

Mr. HAY. The polo ponies are found in the last part of the section, where it is provided:

That no part of this appropriation shall be expended for the purchase of any horses below the standard set by Army regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy.

Mr. WEBB. The gentleman understands by that language that you can only purchase polo ponies for the Military Academy?

Mr. HAY. Yes.

Mr. WEBB. I understand if they purchase them for the Military Academy those polo ponies can be ordered down to Washington to participate in polo games here.

Mr. HAY. Undoubtedly the President or the Secretary of War could order everything at the Military Academy down here if they wanted to—cadets, horses, and all.

Mr. WEBB. Would the chairman object to a provision that the ponies should be—

Mr. HAY. Confined to the Military Academy?

Mr. WEBB. Confined to West Point.

Mr. HAY. I have no objection to that.

Mr. WEBB. I will offer that sort of an amendment. Now, I want to call attention to another thing. I have just read line 15, page 27, where it says that no horses below the standard set by Army regulations shall be purchased, and so forth. Now, there are no Army regulations with respect to the purchase of these horses except in 1901. There have been other regulations, but not on this point, and I will suggest to the chairman that if he wants to bring this down to give force to the law he ought to refer to the regulations of 1901, because those are the last.

Mr. HAY. I would not like to do it now without having time to examine it. I have no objection to the gentleman's amendment in regard to the use of polo ponies at West Point.

Mr. WEBB. Mr. Chairman, I offer this amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

At the end of line 18, page 27, add the following proviso:

"Provided, That no part of this appropriation shall be expended for polo ponies except for West Point Military Academy, and such ponies shall not be used at any other place."

Mr. WEBB. Mr. Chairman, I understand the chairman of the committee accepts that?

Mr. HAY. I do; yes.

Mr. MANN. Mr. Chairman, I make a point of order against the amendment. The amendment is not a limitation only. The amendment specifically provides legislation as to the use of polo ponies purchased for West Point. The amendment provides that those ponies shall not be used at any other place. That is legislation and not a limitation.

Mr. WEBB. Mr. Chairman, it seems to me this is an express limitation on an appropriation which provides if they are used at any other place that no part of this appropriation is to be paid for that use. Now, I understand that if they purchase these polo ponies for West Point they can be ordered down to Washington or any other point in the United States. I understand if proper orders are issued by the War Department men can be detailed, express on the horses paid, provender provided, and so forth.

Now, I want to limit the use of these ponies to West Point. Within the Holman rule this amendment would come, because it does reduce the expense to the Government.

Mr. MANN. This is not an amendment under the Holman rule. This purports to be a limitation on the appropriation.

Mr. WEBB. That is exactly what I thought it was, Mr. Chairman, and I wanted to make it a limitation on the appropriation. My idea is that no part of this appropriation shall be spent for ponies to be used anywhere except at West Point if bought for West Point, and that they shall be used there. That is a limitation on the appropriation.

Mr. HELM. Will the gentleman yield?

Mr. WEBB. Yes.

Mr. HELM. Is this polo a game?

Mr. WEBB. Yes.

Mr. HELM. And the United States Government is furnishing ponies to these boys?

Mr. WEBB. Yes.

Mr. HELM. Are they furnishing football outfits to them?

Mr. WEBB. I know they charge you to see the games.

Mr. HELM. Does the United States Government furnish baseball outfits for the baseball team?

Mr. WEBB. That is taken care of, I understand, by the athletic association.

The CHAIRMAN (Mr. SAUNDERS). The Chair just came in and would like to know who has the floor.

Mr. MANN. I have the floor. I make the point of order. Now, the amendment purports to be a limitation on the appropriation, and is to a certain extent, that provides that no portion of the money shall be expended, as I understand it, for the purchase of polo ponies except for West Point, and then provides that those ponies shall not be used anywhere else. That part of the amendment is not limitation. It is legislation. We have the right to provide that no portion of the money shall be used for a certain purpose, but we have not the right to provide that no portion of the money shall be used except for something which shall be used in a specific manner, because that is legislation.

Mr. WEBB. I think it is a limitation on this appropriation, because it means that this money shall be expended only for polo ponies to be used only at West Point, and if they are used anywhere else this appropriation does not pay for them. It is a limitation on the appropriation, and I think is proper and germane. I want to state to the present occupant of the chair that the chairman of the Committee on Military Affairs agreed to the amendment.

The CHAIRMAN. The Chair would like to ask in respect to the law: Is there present authority for the purchase of polo ponies?

Mr. HAY. Well, there is present authority for the purchase of polo ponies for use at the Military Academy at West Point.

The CHAIRMAN. At the Military Academy?

Mr. HAY. Yes, sir; and they are used there and have been used there for some time.

The CHAIRMAN. And there is no authority for using them elsewhere?

Mr. HAY. No. The bill especially provides they shall not be bought at all for use elsewhere.

The CHAIRMAN. Let me see that.

Mr. HAY. I will read the Chair the proviso.

Mr. MANN. It is already in the bill.

Mr. HAY. It says:

Provided further, That no part of this appropriation shall be expended for the purchase of any horses below the standard set by Army regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy.

And under that they have been purchasing polo ponies, which they have used at West Point for the instruction of cadets.

The CHAIRMAN. The Chair can not see the exact difference between the effect of the amendment and the bill itself.

Mr. WEBB. The amendment confines the use of the ponies to West Point and prohibits the War Department or any other department from ordering a dozen or half a dozen polo ponies down to Washington to take part in these games.

The CHAIRMAN. Is there any authority under the law for them to be ordered elsewhere than at West Point?

Mr. WEBB. Only under the all-embracing power of the War Department, so far as I know. It has been done, I understand. They are ordered here from Georgia, and all parts of the United States, with a detail of men to take charge of them. If we are going to authorize the use of polo ponies being transported from one part of the United States to another for these games, we ought to confine their use to what Congress intends—the training of boys at West Point.

Mr. BURKE of South Dakota. I would like to call the gentleman's attention to the decision of the comptroller on this particular question of paying the expenses in connection with the polo games. It was held by the comptroller:

The War Department is intrusted with the control of the Army and what in its judgment will promote efficiency.

It was held by the comptroller, overruling the Treasury Department, that the War Department is intrusted with the control of the Army and what in its judgment will promote its efficiency, and therefore the comptroller sustained the expenditure of money that clearly, I think, was contrary to the intention of the law.

The CHAIRMAN. The effect of this amendment very clearly would be to reduce the expenditure of the amount covered by the operation of the present law.

Mr. WEBB. That is the point I made, Mr. Chairman.

Mr. MANN. Mr. Chairman, I am not very much of a sport [laughter].

Mr. SHERLEY. But a good deal of a sportsman.

Mr. MANN. I have never played polo, and I dare say most of the gentlemen who are opposed to this provision would be afraid to play polo, as I would be. But I know of no sport and no practice which so well fits a man in the cavalry service of an army to be free from what would be called muscular fear as playing polo, and there is nothing in the world so valuable to a man in the Army or in the Navy in time of battle as to be free from muscular fear.

Nearly every man, as everyone knows, when he first gets under fire is scared for fear he will run away, if he has strength enough in his legs to run at all. The playing of polo gives to these men that practice and precision which make the brain and the muscles work correspondingly with perfect accord, and at the same time frees them from the fear of personal injury which everyone naturally has. You throw a ball or a brickbat at any man in this Chamber, although it may not start to come within 5 feet of him, and he will dodge. What is that? That is muscular fear. A man may know that he will not be struck, and yet he dodges. Let any Member of this House anywhere walk under a low doorway and he will bow his head as he goes under, although if he watches he would know that he could pass under without striking his head. That is muscular fear.

If there be any one thing which will render a man capable in battle, it is to free himself from muscular fear. These men who play polo—I confess I have watched them at times with great interest—learn to lose that fear, because no man can play polo for any length of time with success against others playing it who does not lose the fear of being hurt. A man can not ride his pony just as fast as the pony can run right into another pony without losing the sense of fear.

Playing "shinny" among boys was very much the same thing. No boy who ever played shinny in his day did not profit by it. I would have every boy in the land play shinny. If I had my way I would let the Army officers play polo. The cost is very little; the profit is great, indeed. [Applause.]

Mr. WEBB. Mr. Chairman, I have listened with much interest to this dissertation on "muscular fear" from the gentleman from Illinois [Mr. MANN]. I did not know before just what it was that made a man dodge or duck when he went under a low door. [Laughter.] If there is any way to enable a man to go into battle without dodging I would be glad to support such a method. But for the life of me I can not see and understand what a polo game has to do with going into battle and dodging bullets. I suppose the gentleman from Illinois has seen that game played from time to time. I have no objection to playing it, but my objection is against the Government of the United States transporting a detachment of men from West Point with a certain number of ponies and paying the freight to Washington and having a polo game and charging a dollar a head admission to see the game.

Mr. SHERLEY. Does the objection of the gentleman extend to the charging of a dollar or to the playing of the game? [Laughter.]

Mr. WEBB. My objection is to the entire proposition. I do not think the gentleman from Illinois will contend that the Government of the United States ought to send about 12 officers to Washington from Fort Oglethorpe in Georgia with a lot of horses to play a polo game. They can learn lessons against muscular fear in Georgia just as well as they can on the Mall in Washington.

Mr. MANN. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. Does the gentleman from North Carolina yield to the gentleman from Illinois?

Mr. WEBB. Yes.

Mr. MANN. I do not know whether the gentleman was present when we passed the appropriation for defraying the expenses of rifle contests, but does the gentleman see any more reason for transporting a number of men to Fort Oglethorpe in Georgia for the purpose of engaging in a rifle contest, when those men can shoot just as far and just as straight at Fort Oglethorpe as they can at any other place in the country?

Mr. WEBB. I do not think there is any parallel between the two, because they do not play polo in battle, and they do shoot.

Mr. MANN. They run horses in battle.

Mr. WEBB. But they do not have polo sticks in their hands.

Mr. MANN. They do the same thing with a sword that they do with a polo stick.

Mr. WEBB. Polo is nothing but a game, and they spend an immense amount of money simply to gratify their desire for pleasure. The chairman of the Committee on Military Affairs thinks this amendment ought to be adopted.

Mr. HAY. No; I did not say that. I said I would accept the amendment.

Mr. WEBB. Then I misunderstood the gentleman. I supposed that meant the same thing.

Mr. SHERLEY. Does the gentleman know how much money has been expended for this purpose.

Mr. WEBB. No.

Mr. SHERLEY. Then why state that it is an immense sum of money?

Mr. WEBB. I can give the gentleman an idea by reading to him the history of one shipment:

The following-named officers and enlisted men were ordered to proceed to Washington, D. C., so as to arrive not later than July 10, 1912, to enable them to participate in a polo tournament, beginning about July 10, 1912:

Capt. George T. Langhorne, Eleventh Cavalry.
First Lieut. Eben Swift, Jr., Eleventh Cavalry.
Second Lieut. Clark P. Chandler, Eleventh Cavalry.
Second Lieut. Richard H. Kimball, Eleventh Cavalry.
Second Lieut. Chester P. Mills, Eleventh Cavalry.
Pvt. Brevard L. Culp, Troop C, Eleventh Cavalry.
Pvt. Attilio Condoni, Troop K, Eleventh Cavalry.
Pvt. William Parker, Troop I, Eleventh Cavalry.
Pvt. Russell Monaghan, Troop K, Eleventh Cavalry.
The authorized horses were ordered to be shipped from this station to Washington, D. C.
Second Lieut. Richard H. Kimball was placed in charge of the enlisted attendants.

Mr. SHERLEY. Is the gentleman reading from the order?

Mr. WEBB. Such an order was issued. Now, what I want to do is to stop the shipping of polo ponies from West Point to Washington with which to play polo. I think the House ought to agree to it. The boys can play polo up there. They can play it at every post, but there is no use in sending them from all parts of the United States to play on the Mall in Washington. [Applause.]

Mr. BURKE of South Dakota. Mr. Chairman, I have an amendment to offer at the proper place in the bill, limiting the payment of any expenses in connection with polo tournaments, horse-race events, and other similar exhibitions; I had not expected that the matter would be debated at this time upon the amendment which the gentleman from North Carolina [Mr. WEBB] has offered, which simply limits the purchase of polo ponies for use at any particular place except the Military Academy at West Point.

This matter was first brought to my attention last summer when there was a polo tournament here in this city. Everyone who was here, I think, will recall that that exhibition continued for a number of days in Potomac Park, and whoever was conducting it was assuming the right to charge \$1 at a certain place in the park to anyone who desired to stop in the road and look at the game. I believe one person was arrested because he refused to pay a dollar, and the matter in that way got into the newspapers. It was stated that the charge was to get money to pay the expenses of the tournament, and that put me upon inquiry, and I made some investigation of the matter and found that the expenses, or at least some part of the expenses, were being paid out of the Treasury of the United States. I have not yet been able to ascertain how much was collected by this charge of \$1, or how it was expended. I certainly know that it did not go into the Treasury, and was not expended as Government funds ordinarily are.

Mr. Chairman, when one of the deficiency bills was pending in the last session I inquired of gentlemen on the Military Committee, and they stated that there was no appropriation available for the paying of the expenses of polo tournaments, race-track events, and so forth, because they had attempted, as I understood it, and I think very wisely, to limit appropriations so that the money could not be so expended.

Upon looking the matter up I find that back in 1910, when the military appropriation bill was pending in the House, this very question was discussed. I think the gentleman from Illinois [Mr. MADDEN] took part in it, as well as some other gentlemen, and it certainly was expressly understood that no money could be expended for the purchase of polo ponies, polo tournaments, race-track events, and so forth.

Mr. MANN. I think the gentleman is hardly correct about that. I took part in that discussion and insisted that they had the right.

Mr. BURKE of South Dakota. I have here the CONGRESSIONAL RECORD, containing the verbatim report of what transpired at that time. My understanding is, if I can read the English language, that this had reference to the same item as the one now under discussion.

Mr. MADDEN. Mr. Chairman, I reserve a point of order on the last proviso for the purpose of getting an explanation.

Mr. HULL of Iowa. I do not believe it is subject to a point of order, but I am glad to give the gentleman the reasons for the committee putting it in. There has been a proposition in the last few years to supply polo ponies for the different camps. The proposition was to cut down the regular standard horses, five to a troop of Cavalry, and have five polo ponies. The committee did not believe that the Congress of the United States should give a sum to buy polo ponies from unless it was a direct appropriation, so that they would know what they were doing.

Mr. MADDEN. Is it the idea of the officers to buy polo ponies at the expense of the Federal Treasury in order that they may have the instrumentalities to play the game?

Mr. HULL of Iowa. We were afraid they might get at it, and so we have fixed it so they can not.

Mr. MADDEN. And have they been doing that?

Mr. HULL of Iowa. I think they bought a few undersized horses.

Then the gentleman from Illinois withdrew his pro forma amendment. On this floor I asked some gentleman on the Military Affairs Committee if there was money being expended for the purpose of paying expenses of the polo tournaments and horse-track events and the gentleman from Texas [Mr. SLAYDEN], I remember distinctly, said that the understanding was that there was no money being expended for that purpose that was appropriated for in the military appropriation bill.

The CHAIRMAN. The time of the gentleman from South Dakota has expired.

Mr. BURKE of South Dakota. I ask unanimous consent for three minutes more.

The CHAIRMAN. The gentleman from South Dakota asks that his time be extended three minutes. Is there objection?

There was no objection.

Mr. BURKE of South Dakota. I then wrote a letter to the Secretary of the Treasury in which I asked specifically to be informed whether or not there was any money being expended for this purpose, and in passing I want to call attention to a circumstance that, notwithstanding my letter was written on July 29, I did not receive a reply until I wrote the second letter, on the 13th of August, and then I did not get any reply until August 23. I am unable to state why such a length of time was required to furnish this information. I suspect that my letter was probably transmitted to the War Department to get some information there as to whether or not the letter should be answered; but that, however, is only a suspicion. I know it took a month to get the answer.

The letter is as follows:

TREASURY DEPARTMENT,
Washington, August 23, 1912.

Hon. CHARLES H. BURKE, M. C.,
House of Representatives, Washington, D. C.

SIR: Your letter of the 13th instant has been received, making reference to your letter of July 29, 1912, in which you request certain information relative to expenses in the War Department in connection with the purchase of polo ponies and moneys expended for polo contests.

In reply you are informed that there are on file in the office of the Auditor for the War Department vouchers paid by disbursing officers of the Army on account of expenses in connection with the attendance of officers, enlisted men, and civilians upon polo tournaments, race-track events, and horse shows, and which were paid from the appropriations "Regular supplies, Quartermaster's Department"; "Incidental expenses, Quartermaster's Department"; "Transportation of the Army and its supplies"; "Barracks and quarters"; "Subsistence of the Army"; and "Mileage to officers."

By direction of the Secretary.

Respectfully,

R. O. BAILEY,
Assistant Secretary.

I say, Mr. Chairman, it is not a question, as suggested by the gentleman from Illinois, as to the merits of the proposition. I say that Congress has intended and endeavored to so limit the appropriation that the money could not be expended for this purpose, and I maintain that if Congress desires to change its policy it ought to provide specifically for the payment for such exhibition.

Mr. SHERLEY. Will the gentleman yield?

Mr. BURKE of South Dakota. Certainly.

Mr. SHERLEY. Has the gentleman any information to show whether the payment was for any purpose other than the bringing of horses and men here—anything to show a payment in connection with the expenses of the tournament itself?

Mr. BURKE of South Dakota. I have not looked the matter up sufficiently to answer the gentleman's question. I do know that money has been expended for transporting horses and men from one part of the country to Washington and other places, and that the horses as a rule are transported by express at considerable expense.

Mr. SHERLEY. That seems to be understood. I was trying to find out, inasmuch as the gentleman went into the matter, whether he had any detailed information as to what the expense was, either the amount or for what purpose.

Mr. BURKE of South Dakota. Of course, the gentleman from Kentucky knows, and he would not favor the expenditure of any sum of money by any department of the Government being collected from the people who might be attracted by the particular show or exhibition and then let them expend the money without any accounting.

Mr. SHERLEY. Of course not; and I suspect that nothing of the kind happened. I suspect this is what happened: That whatever money was collected for witnessing the game—and the wisdom of collecting it I am not now discussing—was used simply in the payment of expenses in connection with the tournament, which was a volunteer affair, and the gentleman will

find that probably the only money that the Government has expended has been in bringing the men and horses here.

Mr. BURKE of South Dakota. I will say that I do know that there were park policemen and men in the uniform of United States soldiers who were patrolling the roadway in front of where the game was being played and holding up people and requesting and requiring them to either move on or to pay \$1 to remain.

Mr. MADDEN. And not only requesting them to move on, but they arrested a man.

Mr. MANN. Does the gentleman state that of his own knowledge?

Mr. BURKE of South Dakota. Yes; and one man was arrested.

Mr. MADDEN. I can testify to the fact that they did insist upon people moving along the driveway, and I saw officers making people move on or pay the price that was to be charged. In one case, I recollect, when I went there myself they said that unless a certain charge was paid people could not witness the polo games from the point of vantage that was designated by the officers as being the best place from which to view it.

Mr. HAY. Mr. Chairman, I would like to ask the gentleman from South Dakota if he will not publish in the RECORD the communication that he received from the Treasury Department.

Mr. BURKE of South Dakota. Mr. Chairman, I will say to the gentleman that I referred to it while we were discussing the bill in general debate, and with the consent of the House I shall incorporate in my remarks the letter from the Assistant Secretary of the Treasury, on debate of August 23, 1912.

Mr. HAY. That will show what was spent.

Mr. BURKE of South Dakota. And I will say to the gentleman, furthermore, that at the proper point in the bill I will submit an amendment, for the consideration of the committee, which limits the expenditures.

Mr. MANN. Mr. Chairman, whether the law authorized the purchase of polo ponies heretofore I will not undertake to argue at this time. Last year the Army appropriation bill contained a provision subject to a point of order which anyone in the House could have made, directing the removal or suspension of regulations for the purchase of horses under size. I think that was after the polo games had been played here. Possibly gentlemen in the House were not here.

Mr. HAY. Mr. Chairman, I will state that that applied to the case of Maj. Carson, who was quartermaster.

Mr. MANN. It would also apply to the purchase of polo ponies which were under size.

Mr. HAY. That was the only instance where they were bought.

Mr. MANN. I do not know anything about that.

Mr. HAY. That was what was stated, that Maj. Carson at West Point had bought these polo ponies.

Mr. MANN. That is neither here nor there. Mr. Chairman, I had never seen a game of polo until last year. I had read many times about the polo games of the British Army, and long ago had concluded that the playing of polo by the British officers was one of the reasons they had so much courage in time of battle. Last year when the polo tournament was here I went every afternoon, I think, to see the polo games. I found that in a small portion of the road in front of where the polo games were played they had set aside a section for people who might wish to remain there during the afternoon with their carriages or automobiles, and that for the privilege of remaining there they charged \$1. I paid that, being in an automobile which I borrowed for part of the time, and I found that so far as seeing the polo games was concerned one could see them just as well from this side of the park area where the polo games were played where there was no charge, where anyone could and many people did go, as from the other side, on a portion of which they made a charge.

Mr. MADDEN. They made a charge on both sides.

Mr. MANN. I say they did not make a charge on both sides.

Mr. MADDEN. To which side does the gentleman refer? To the river side?

Mr. MANN. I said the other side.

Mr. MADDEN. Is that the river side?

Mr. MANN. Everybody knows where the polo game was played.

Mr. MADDEN. I know they charged on the side away from the river.

Mr. MANN. I was at the other side away from the river several afternoons with an automobile, and there was no charge.

Mr. MADDEN. The gentleman might have had more influence than those who had charges made against them.

Mr. MANN. No one else was being charged there. The gentleman is mistaken.

Mr. BURKE of South Dakota. Mr. Chairman, I went down there on one occasion and stopped on the side away from the river, and a demand was made for a charge upon that side, I will say to the gentleman.

Mr. MANN. I am sorry the gentleman did not pay it. Every afternoon I went to those polo games after the adjournment of the House. It seemed to me a fascinating sport. I believe it is the best training that ever was given to men on horseback, and I did not pay the charge when I did not desire to go to the particular place. You could see the games just as well without paying the charge as you could by paying the charge. I suppose people were not expected to remain all afternoon, blocking up the roadway, except in a particular place. The officers of the Army were not attending to the matter. It was not an officer of the Army who collected the dollar from me.

Mr. MADDEN. Was it a soldier?

Mr. MANN. It was not a soldier who collected it from me.

Mr. COOPER. Mr. Chairman, will the gentleman yield for a question?

Mr. MANN. I will for a question.

Mr. COOPER. Who took the money, and who kept the money that was collected down there?

Mr. MANN. I do not know. I was told by a very courteous gentleman the first day I went there, in reference to the place for which they desired to make a charge, that the money was used to pay the expense of handling the tournaments, fixing the ground, and things of that sort. It seems to me perfectly proper, so far as that was concerned. No sightseer was prevented from seeing those grounds. I do not believe any gentleman would object if he was asked to pay a dollar for putting his automobile in a particular place to stay the afternoon to the exclusion of other people who might go when, if he did not desire that particular place, there were plenty of places where he could go where he could see the play.

Mr. BURKE of South Dakota. Will the gentleman yield?

Mr. MANN. Certainly.

Mr. BURKE of South Dakota. I would like to ask the gentleman if he would be in favor of permitting the Marine Band to make a charge of 25 cents or a dollar for the privilege of standing on the east steps of the Capitol when that band was playing?

Mr. MANN. I would not; the gentleman need not finish the question.

Mr. BURKE of South Dakota. Then I would like to ask the gentleman if they went down in Potomac Park and some person stopped in an automobile—

Mr. MANN. I would not. I have questioned even having the Army going to Chicago and holding a military drill there on the lake front, for which the people were charged admission and which all of those people from Chicago have been advocating.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAY. Mr. Chairman, I move that all debate on this amendment, paragraph, and amendments thereto, be now closed.

Mr. MADDEN. Mr. Chairman, I would like to have about five minutes.

Mr. HELM. Mr. Chairman, I would like to have about five minutes.

Mr. MONDELL. And I would like to have five minutes.

Mr. HAY. We must get through and gentlemen are talking here to-day on subjects generally that do not pertain to the bill. I must insist on my motion.

The CHAIRMAN. The question is on the motion of the gentleman from Virginia that all debate on this paragraph and amendments thereto shall cease.

The question was taken, and the motion was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from North Carolina.

The question was taken; and the Chairman announced the "ayes" seemed to have it.

Upon a division (demanded by Mr. MANN) there were—ayes 30, noes 24.

Mr. MANN. Mr. Chairman, I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count—obviously the point of order is well taken.

Mr. HAY. Mr. Chairman, I ask that the Chair count.

The CHAIRMAN. The Chair has sufficiently counted.

Mr. HAY. Other gentlemen have come into the Chamber.

Mr. MANN. Well, I withdraw the point of order as long as the Chair is still counting. We will have a separate vote on it in the House.

The CHAIRMAN. On this amendment the ayes are 30 and the noes are 24.

So the amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk began the reading.

Mr. MONDELL. Mr. Chairman, I move to strike out the last word.

The CHAIRMAN. Debate is exhausted.

Mr. MONDELL. Mr. Chairman, I did not understand that debate was closed on the paragraph—only on the amendment.

The CHAIRMAN. On the paragraph and all amendments thereto.

Mr. GARNER. Debate has been closed on the paragraph and all amendments thereto and the Clerk had started the reading of the bill.

The CHAIRMAN. The Clerk is now reading another paragraph.

Mr. MONDELL. Thank you.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

Military post exchange: For continuing the construction, equipment, and maintenance of suitable buildings at military posts and stations for the conduct of the post exchange, school, library, reading, lunch, amusement rooms, and gymnasium, including repairs to buildings erected at private cost in the operation of the act approved May 31, 1902, to be expended in the discretion and under the direction of the Secretary of War, \$40,000.

Mr. SLAYDEN. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amend by adding, after the "\$40,000," in line 6, page 29, the following: "Provided, That not to exceed \$13,000 of this sum, to be immediately available, may be used for the payment of existing indebtedness on the chapel building at Fort Sam Houston, Tex., which was incurred subsequent to March 3, 1911, for putting this chapel in condition for temporary use for recreation purposes by enlisted men of the maneuver division then encamped at Fort Sam Houston, Tex."

Mr. FOSTER and Mr. MANN. Mr. Chairman, I reserve a point of order.

Mr. SLAYDEN. Mr. Chairman, I will say that when the maneuver camp was ordered at Fort Sam Houston in March, 1911, the building that embraced the chapel, the library, and, I believe, the post exchange work also was not completed.

That chapel had been erected very largely at the expense of the people of San Antonio, who had undertaken to give \$25,000 toward its construction and, indeed, had expected to complete it for that sum of money, but the chaplain, who was better known for enthusiasm than for business acumen, developed the design and spent so much money on it that they actually contributed about \$40,000 in cash and material. It was not quite completed, and debts of about \$5,000 were created. Congress appropriated \$5,000 to pay these debts, and that sum did pay all the debts that had been incurred prior to March 4, 1911, except about \$50, and in order to get the matter cleared up the people to whom that money was due surrendered that much of their claim, but the money appropriated was only applicable to debts incurred prior to March 4, 1911. Subsequent to that time a further debt was created by order of the governmental authorities to put the building in condition for the enlisted men who use it, and the man who furnished the material and did the work has never been paid a cent. The Government owes him \$1,230. There is no increase of appropriation asked. The Secretary of War and the Quartermaster General recommend that the amendment go into the bill.

Mr. MANN. Has the claim been audited, or do they claim they had no authority?

Mr. SLAYDEN. They have no authority.

Mr. MANN. Was it presented for audit?

Mr. SLAYDEN. Yes.

Mr. MANN. What did the auditor say about it?

Mr. SLAYDEN. I do not know whether it was presented here. I only know it has not been paid; that the quartermaster at Fort Sam Houston and the chaplain, who now has charge of the chapel and post exchange, have repeatedly written to me requesting that authority be secured to pay the debt.

Mr. MANN. When a man has a contract for Government work he presents his bill.

Mr. SLAYDEN. This man was authorized and directed to do this work; he did the work, furnished the material, and presented his bill, but payment was not made.

Mr. MANN. And who turned him down?

Mr. SLAYDEN. The military authorities here.

Mr. MANN. The bills go to the auditor for decision.

Mr. SLAYDEN. I know, Mr. Chairman, that they asked for authority to pay it.

Mr. MANN. Well, what I wanted to get at was the reason that they declined to pay it, because there was lack of authority, or some other reason?

Mr. SLAYDEN. For lack of appropriation and authority.

Mr. MANN. The gentleman does not know why because he does not know who determined against it?

Mr. SLAYDEN. The Quartermaster General. The quartermaster at Fort Sam Houston declined to pay it, and the Quartermaster General here approved his declination to pay it, and the man who furnished the material and did the work has never been given a penny.

Now, here is a report giving all the facts leading up to the incurring of this debt, and gives all the transaction, and the language that the Quartermaster General recommends and which is approved by the Secretary of War has been incorporated in the amendment I offer, namely, that that sum, not more than \$1,300, shall be used for the payment of this debt. My recollection is the debt is precisely \$1,230.

Mr. MANN. Does the gentleman think it wise to include a claim bill in an appropriation bill?

Mr. SLAYDEN. Mr. Chairman, I do not think this is properly a claim. This man in San Antonio was called on by military authorities to furnish the material and do the work. I think the gentleman from Connecticut, who was stationed down there during that maneuver camp for awhile, may have some familiarity with the facts.

Mr. MANN. He was called upon by whom? By an Army officer? Who decides the work should not be paid for?

Mr. SLAYDEN. It was decided in the War Department, in the Quartermaster General's office.

Mr. MANN. It seems to me we ought to have information in regard to that. The gentleman does not seem to have it. Here is a man ordered to do some work by contract, and otherwise, by an Army officer. If the Army officer is decided not to have authority to do this, we ought to know why.

Mr. SLAYDEN. I thought for a long time the creditor had been paid. It was called to my attention after Congress adjourned.

Mr. MANN. The gentleman has had plenty of time to find out.

Mr. SLAYDEN. It was not again brought to my attention until I received the letter from the chaplain, who has charge of it, saying he had never been paid for the material or the work done, and asked me to have authority inserted in this bill for the payment. I took it up with Gen. Aleshire, who recommended that it be done in this way, but, unfortunately, it was not incorporated in the Book of Estimates.

Mr. HAY. Mr. Chairman, I will state to the gentleman that from information I have here, after paying what was due for this work performed by Mr. Dielman, who seems to be the man who performed the work, there was left an indebtedness of \$1,231.20, which was done between the dates of March 11 and April 7, 1911, or during the fiscal year 1911.

In accordance with the opinion of the Judge Advocate General of the Army, dated December 19, 1911, the additional \$5,000 appropriated by Congress could not be expended for the purpose of paying the indebtedness of \$1,231.20 unless the total amount—\$5,000—would also defray the necessary expenses for completing the chapel. It seems the source of the trouble was the fact that the work was done in a different fiscal year from the year that the matter was appropriated for.

Mr. MANN. Was not the trouble the fact that Congress provided \$5,000, and thereupon, in order to have things look a little bit more beautiful down there, they expended something over \$6,000?

Mr. SLAYDEN. No, Mr. Chairman; the gentleman is wrong about that.

Mr. MANN. I am asking the question.

Mr. SLAYDEN. Five thousand dollars was appropriated for the specific purpose of paying a debt previously incurred.

Mr. MANN. The exposition given by the chairman of the committee, which I understand is the official statement, is different.

Mr. SLAYDEN. I have not read that document, but Mr. Dielman was paid for work that he did prior to March 4, 1911.

Mr. MANN. Mr. Chairman, I am not usually such a soft mark, but in this case I will withdraw the point of order.

Mr. SLAYDEN. I want to congratulate the gentleman on the fact that he is not bursting with generosity even now. It is simply the payment of an honest debt.

Mr. Sisson. The gentleman from Illinois [Mr. MANN] withdrew his point of order, Mr. Chairman. I do not know how many other gentlemen made the point of order, but I want to renew the point of order. This is either a deficiency or a claim, and unless there has been some proof adduced or some hearings had on the matter—

Mr. SLAYDEN. What does the gentleman say about the hearings?

Mr. Sisson. I say, Mr. Chairman, that unless there is some evidence about the propriety of the claim—

Mr. SLAYDEN. If the gentleman will permit me, there is exact evidence of the propriety of this item. It was for material furnished and work done which met with the O. K. of the quartermaster at the time. It was not paid because of the confusion growing out of the fact that there had been debt incurred prior to March 3, and because of this debt created subsequent to that date which should have been paid as incident to the completion of the chapel which was provided for.

Mr. Sisson. That may be true; but what right has an Army officer to incur debt without authority of Congress?

Mr. SLAYDEN. I do not know what right he has, but I do know that this citizen was requested to do this work, and he did it.

Mr. Sisson. By whom and by what authority was it done?

Mr. SLAYDEN. By military authority. Between fifteen and sixteen thousand troops had been assembled at Fort Sam Houston. They needed this building. It had not been completed.

Mr. Sisson. I am not questioning that, but I want to know whether those people who incurred that obligation were authorized to do it by a law or act of Congress.

Mr. SLAYDEN. Their position, Mr. Chairman, is that they had not authority to pay it out of any appropriation that they had, and we want to give them the authority now to pay it.

Mr. Sisson. Mr. Chairman, I make the point of order, because if this is a claim it ought to go to the Committee on Claims, and if it is a deficiency it ought to go to the Committee on Appropriations.

Mr. SLAYDEN. Mr. Chairman, in an emergency like this was supposed to be, when the Army of the United States is assembled at a particular place to meet possible foreign danger, and a citizen is called upon to furnish materials and supplies for the Army by the high military authorities having charge of the camp, it is particularly hard to compel that citizen to do without pay for material furnished and the work done for an indefinite period because the general or other officer who directed it had no specific authority to issue the order and to put him in the attitude of pressing a claim against this Government, which the gentleman knows may result either in a denial of payment or in a delay of such a nature as to work a great hardship on the man. This is no claim in the ordinary sense of the word as it is used when you speak of claims made against the Government. This is a bill for work done and material furnished on specific direction of certain military officers, and so recently done that the correctness of it is not disputed by anybody, and these military authorities have urged its payment.

Mr. Sisson. Mr. Chairman, I may state, in reply to that, that there is a method by which all these matters that are unpaid may be properly provided for under the rules of the House, and all deficiencies should be taken care of there.

Mr. HAY. I would like to call the attention of my friend to the fact that under the Army appropriation act of 1911, \$10,000 was appropriated for the completion of the chapel building at Fort Sam Houston, Tex. Subsequently in a deficiency act approved July 21, 1911, Congress provided that the amount authorized to be expended for the completion of the chapel, by the act making appropriations for the support of the Army, was made available upon the payment of any existing indebtedness on said building not in excess of \$5,000.

It seems that this work, for which this amendment provides, was done out of the \$10,000, but the Judge Advocate General of the Army held that an additional \$5,000 appropriation by Congress could not be expended for the purpose of paying the indebtedness, because the expenditure was made between March 11 and April 7, 1911. As a matter of fact, the money was provided, but because of the time when it was expended, under a decision of the Judge Advocate General, although it was appropriated, it could not be paid over.

Mr. Sisson. I presume the chairman of the committee will admit that this claim can be paid legally if it is now a deficiency.

Mr. HAY. No; I do not admit that at all.

Mr. Sisson. If it is not a deficiency, then it is a claim.

Mr. SLAYDEN. Will the gentleman from Virginia permit me to make this explanation of the decision? The chapel building has not been completed. It was estimated in February, 1911, that the debts were about \$5,000. It was also estimated by the quartermaster general in charge of the department at Fort Sam Houston that it would take about \$10,000 to complete the chapel building and pay the debt, \$5,000 of that sum to be used in the payment of debts incurred prior to March 4, 1911. This would have been a part of the cost of the completion of the chapel building, but according to estimates submitted by build-

ers and contractors with whom the authorities conferred, it was found that after the payment of the \$5,000 debt the remaining \$5,000, which would have gone to the payment of this claim, a part of the work of completion and to the completion of the chapel, was inadequate, and therefore they let it lapse and go back into the Treasury.

Mr. Sisson. I understand from the statement that that is true, but if the estimates had been made properly, this party expending this money could not have exceeded the amount appropriated for that purpose.

Mr. SLAYDEN. He did not exceed it.

Mr. Sisson. But it seems that the people of the city who were interested in the proposition very laudably raised—

Mr. SLAYDEN. Let me correct the gentleman. He did not exceed it. He took an order to do certain work, and did it, and his bill was \$1,230, a reasonable and proper sum.

Mr. Sisson. Originally this was a proposition which was undertaken not by the Government, but by the people of your city.

Mr. SLAYDEN. Yes; and they had given \$45,000.

Mr. Sisson. I understand that from the gentleman's statement.

Mr. SLAYDEN. The gentleman's statement is correct, permit me to say.

Mr. Sisson. I have no doubt of that, absolutely none in the world. I am not questioning it. I am taking it as being absolutely true; but all that the gentleman states about it does not prevent this either being a claim that ought to be proven against the Government or else a deficiency, and for that reason I make the point of order.

Mr. SLAYDEN. It is proven to the satisfaction of the War Department.

Mr. Sisson. They have nothing to prove it by.

Mr. HAY. I understood the gentleman to make the point of order.

Mr. Sisson. Yes.

The CHAIRMAN. The Chair sustains the point of order.

Mr. BARTHOLOTT. Mr. Chairman, I offer the amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Missouri offers an amendment, which the Clerk will report.

The Clerk read as follows:

On page 29, line 6, strike out "\$40,000" and in lieu thereof insert the following: "\$35,000: *Provided*, That post commanders, in their discretion, may permit soft drinks, including beers and light native wines containing not to exceed 4 per cent of alcohol, to be sold at the post exchanges during the hours set apart for the recreation of the enlisted men, the sale to be conducted exclusively by civilian employees and under such further rules and regulations as the post commanders may prescribe."

Mr. HAY. Mr. Chairman, I make the point of order on that amendment.

Mr. BARTHOLOTT. I hope the gentleman will reserve it.

Mr. HAY. I will reserve the point of order.

Mr. RODDENBERRY. I make the point of order on the amendment.

The CHAIRMAN. The point of order is made to the amendment.

Mr. BARTHOLOTT. I should like to be heard on the point of order.

The CHAIRMAN. The gentleman from Missouri will be recognized on the point of order.

Mr. HAY. The gentleman understands that the gentleman from Georgia made the point of order.

Mr. BARTHOLOTT. Yes; I understand that.

Mr. Chairman, in my judgment this amendment is not subject to a point of order, for the reason that it complies strictly with the Holman rule, or is within that rule. The reduction proposed is not a hypocritical one offered merely for the purpose of securing a change of existing law, but it is a real reduction within the Holman rule which says, in effect, that changes of law may be based upon reductions of the amounts of money covered by the bill.

Before the legislation of February 2, 1901, when by an amendment to the Army reorganization bill the privilege of our soldiers to drink a glass of beer at their club, commonly called the canteen, was taken away from them, there were no appropriations for the canteens at Army posts. I believe by the adoption of this amendment not only \$5,000 can be saved to the Government, but the whole \$40,000 which Congress is asked to appropriate for that purpose can be saved. In accordance with all arguments we have heard here during the last three or four days, especially on the amendment offered by the gentleman from Kansas [Mr. MURDOCK] on the liquor advertisements, which arguments, as gentlemen will remember, were sustained by the Chair, this amendment is now in order. I submit, Mr.

Chairman, that it being an honest reduction, the point of order should be overruled by the Chair.

It was a sad day, Mr. Chairman, for the American Army when by the legislation enacted in February—

Mr. HAY. Mr. Chairman, I make the point of order that the gentleman from Missouri must confine his remarks to the point of order.

The CHAIRMAN. The point of order is well taken, and the gentleman must confine himself to the point of order.

Mr. MANN. I hope the gentleman from Virginia will not do that.

Mr. HAY. The gentleman from Missouri is not speaking to the point of order.

Mr. MANN. Very well, I make the point of order that no quorum is present.

The CHAIRMAN. The gentleman from Illinois makes the point of order that no quorum is present. The Chair will count. [After counting.] Sixty-seven Members present, not a quorum. The Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

Aiken, S. C.	Draper	Konig	Pepper
Ainey	Driscoll, D. A.	Kopp	Peters
Akin, N. Y.	Dyer	LaFean	Pickett
Ames	Ellerbe	Lamb	Porter
Andrus	Estopinal	Langham	Pou
Ansberry	Evans	Lawrence	Pray
Anthony	Farr	Lee, Pa.	Pujo
Austin	Fields	Legare	Randell, Tex.
Ayres	Fitzgerald	Levy	Ransdell, La.
Bates	Flood, Va.	Lewis	Rauch
Bathrick	Focht	Lindbergh	Reyburn
Berger	Fornes	Lindsay	Richardson
Blackmon	Fuller	Linthicum	Riordan
Bradley	Gardner, Mass.	Littlepage	Rucker, Colo.
Broussard	Gardner, N. J.	Littleton	Rucker, Mo.
Brown	George	Longworth	Scully
Browning	Gillett	Loud	Sells
Burgess	Glass	McCall	Shackelford
Burke, Pa.	Goeke	McCoy	Sherley
Burleson	Goldfogle	McCreary	Simmons
Calder	Gould	McKellar	Slomp
Callaway	Greene, Vt.	McKenzie	Smith, J. M. C.
Carlin	Gregg, Pa.	McKinley	Smith, Cal.
Carter	Gregg, Tex.	Maher	Smith, N. Y.
Conry	Griest	Martin, Colo.	Speer
Cooper	Hardwick	Matthews	Stack
Copley	Harris	Merritt	Stephens, Nebr.
Covington	Harrison, N. Y.	Moon, Pa.	Suloway
Crago	Hart	Moore, Pa.	Switzer
Cravens	Haugen	Moore, Tex.	Talbot, Md.
Crumacker	Hawley	Morgan, La.	Taylor, Ala.
Curley	Heald	Morse	Taylor, Colo.
Currier	Henry, Conn.	Mott	Taylor, Ohio
Curry	Hensley	Murdock	Turnbull
Dalzell	Higgins	Needham	Underwood
Danforth	Hill	Nelson	Vare
Davidson	Hobson	Oldfield	Vreeland
De Forest	Howard	Olmsted	Whitacre
Dent	Howland	O'Shaunnessy	Wilder
Denver	Hughes, W. Va.	Padgett	Wilson, N. Y.
Difenderfer	James	Palmer	Wood, N. J.
Dixon, Ind.	Johnson, Ky.	Parran	Woods, Iowa
Donohoe	Kindred	Patten, N. Y.	Young, Mich.
Doremus	Kinkaid, Nebr.	Payne	

The committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee having under consideration the Army appropriation bill had found itself without a quorum; that he had directed the roll to be called and 208 Members had answered to their names, and he presented herewith a list of the absentees.

The SPEAKER. A quorum being present, the committee will resume its session.

The CHAIRMAN. The gentleman from Missouri is recognized on the point of order.

Mr. BARTHOLOTT. Mr. Chairman, if the Chair will indulge me still further, I will confine myself to the point of order, and should like to read from an argument made by the present occupant of the chair on the Murdock amendment, as follows:

It has been said in argument, in connection with the pending parliamentary proposition, that the Holman rule must be construed strictly. I deny that absolutely. It has been ruled that this rule is one of beneficence, and on that account should be liberally construed, in order that its essential purpose may be carried out and retrenchments effected.

Then the gentleman from Virginia [Mr. SAUNDERS] went on to argue that the Murdock amendment was in order. This seems to be a case on all fours with the Murdock amendment. In that case it was a plain change of existing law, only with this difference, that in the Murdock amendment the reduction of expenditures was merely guesswork, while with regard to my amendment the reduction of expenditures is a necessary incident and a sequence to the legislation. As will be well remembered by all those present, the Murdock amendment was ruled in order by the gentleman from Tennessee [Mr. GARRETT], the then Chairman of the Committee, and ruled out of order

by the Speaker of the House only on a technicality, not because it changed existing law but for the reason that two amendments were proposed at one and the same time. That technicality has been avoided in my case, and I think my amendment is strictly in order from that point of view. I submit that the point of order does not lie.

Mr. HAY. Mr. Chairman, the amendment of the gentleman from Missouri proposes to change existing law, which law is contained in the Army organization act of February 2, 1901, and which law prohibits the use of any alcoholic beverage or beer in any Army post or reservation. In order to change that law he proposes to cut down the appropriation to \$35,000, and he hangs his proposed change of law upon that. Of course his motion to cut down the appropriation \$5,000 is divisible from his motion to change the existing law, and his motion to cut down the appropriation is in order without regard to the Holman rule. The Holman rule never was intended to be used for the purpose of changing existing law by offering an amendment to cut down an appropriation and hanging onto it something which in itself does not cut down the appropriation. The gentleman says that if his amendment is adopted this change of law will save something. He has not indicated how it would save, and nobody can see how it would save. I know I am very well assured it would save nothing. Therefore, in accordance with the ruling which was made by the Chair a few days ago when two other amendments of similar character were offered, I have no doubt that the Chair will rule that this amendment is out of order.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman yield?

Mr. HAY. Yes; for a question.

Mr. BARTHOLDT. Mr. Chairman, I think it could well be shown, if we have the time to do so, that this legislation, besides having some other purposes in view, is merely intended to save expenditures, for this reason: That before the legislation of 1901—

Mr. HAY. Mr. Chairman, I yielded to the gentleman for a question.

Mr. BARTHOLDT. Mr. Chairman, I thought the gentleman had finished his remarks. I would like to ask the floor in my own behalf when he is through.

Mr. HAY. I am through now.

Mr. BARTHOLDT. Mr. Chairman, I would like to be indulged for a moment longer.

The CHAIRMAN. The gentleman from Missouri is recognized.

Mr. BARTHOLDT. Mr. Chairman, I stated that before the legislation of 1901, to which the gentleman from Virginia [Mr. HAY] has referred, there was no appropriation for Army post exchanges at all, as I remember, and appropriations became necessary only because the canteen was abolished. If you adopt my amendment it will save money to the Government. It is offered for the purpose of going back to the old system, which did not require an appropriation from Congress for the maintenance of these post exchanges, and consequently the reduction proposed in my amendment and the legislation attached to it belong together. They are not divisible. I would not think of proposing one and not proposing the other. It is offered in good faith, for the purpose of retrenchment and of saving expense to the Government, outside of the other purposes suggested in the amendment.

The CHAIRMAN. The Chair is prepared to rule. The gentleman from Missouri quoted an extract from an argument made by the present occupant of the chair a few days since, in connection with the Murdock amendment. It is the opinion of the present occupant of the chair as stated in that argument that the Holman rule should be construed liberally, but if the gentleman will go a little further into the argument that I made on that occasion, he will find that in supporting the Murdock amendment the gentleman from Virginia submitted this contention to the Chair, that the legislation attached to the reduction in the appropriation, effected the reduction. The gentleman from Missouri will also find in two or three later rulings made by the present occupant of the chair that he maintained the proposition that you can not make a reduction in a total, and convert that reduction into a peg on which to hang unrelated legislation. The legislation must efficiently cause a reduction in order to be in order. Now take this amendment upon which a ruling is sought. First there is a reduction in the total, and then follows legislation to the following effect:

Provided, That post commanders, in their discretion, may permit soft drinks, including beers and light native wines containing not to exceed 4 per cent alcohol, to be sold at the post exchanges during hours set apart for the recreation of the enlisted men, the sale to be conducted exclusively by civilian employees and under such further rules and regulations as the post commanders may prescribe.

It is difficult for the Chair to see how this legislation will necessarily effect any reduction in the total appropriation. The gentleman from Missouri [Mr. BARTHOLDT] stated that he offered the amendment in all sincerity. The Chair does not question this for a moment, but the moral or beneficent effect of the legislation proposed, whatever it may be, is not a question for the Chair to decide. On the point of order the Chair is concerned to determine the economic operation of the legislation proposed. Looking to this legislation, the Chair is not satisfied that it will effect a reduction of expenditures. On this ruling the Chair is in strict conformity with the principles which he has undertaken to lay down in several expositions of the Holman rule. Following these rulings the Chair sustains the point of order.

Mr. BARTHOLDT. Mr. Chairman, I offer the following amendment.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

On page 29, line 6, strike out "\$40,000" and in lieu thereof insert the following: "\$39,000: *Provided*, That the Secretary of War shall cause an investigation to be made into the effect of the prohibition of the sale of beers and light wines at the post exchanges, such investigation to be conducted by a commission consisting of the Chief of Staff, the chief of the Quartermaster Corps, and the Surgeon General of the United States Army; the commission to report its findings and recommendations to the Secretary of War and by him transmitted to Congress on or before December 10, 1913."

Mr. HAY. Mr. Chairman, I make the point of order on the amendment.

Mr. BARTHOLDT. Mr. Chairman, will the gentleman withhold his point of order for a few moments?

Mr. HAY. I will reserve the point of order.

Mr. RODDENBERRY. Mr. Chairman, I make the point of order on the amendment.

The CHAIRMAN. The point of order is renewed.

Mr. BARTHOLDT. Mr. Chairman, I do not desire to discuss the point of order beyond saying that I believe this to be in order. This does not change existing law. It merely provides for an investigation and reduces expenditures, and it will be for the purpose of causing a further retrenchment in the expenses for post exchanges, and for these reasons I think the amendment is in order.

Mr. HAY. It does not change existing law, but creates a commission and makes law.

The CHAIRMAN. The amendment furnishes authority not now afforded by law and does not reduce expenditures. This being so, and in conformity with principles already announced, the point of order is sustained.

The Clerk read as follows:

Transportation of the Army and its supplies: For transportation of the Army and its supplies, including transportation of the troops when moving either by land or water and of their baggage, including the cost of packing and crating; for transportation of recruits and recruiting parties; of applicants for enlistment between recruiting stations and recruiting depots; for travel allowance to enlisted men on discharge; of persons on their discharge from the United States military prison to their homes (or elsewhere, as they may elect), provided the cost in each case shall not be greater than the place of last enlistment; of supplies furnished to the militia for the permanent equipment thereof; of the necessary agents and other employees; of clothing and equipment and other quartermaster stores from Army depots or places of purchase or delivery to the several posts and Army depots and from those depots to the troops in the field; of horse equipment; of ordnance and ordnance stores, and small arms from the foundries and armories to the arsenals, fortifications, frontier posts, and Army depots; for payment of wharfage tolls and ferriage; for transportation of funds of the Army; for the hire of employees; for the payment of Army transportation lawfully due such land-grant railroads as have not received aid in Government bonds (to be adjusted in accordance with the decisions of the Supreme Court in cases decided under such land-grant acts), but in no case shall more than 50 per cent of full amount of service be paid; *Provided*, That such compensation shall be computed upon the basis of the tariff or lower special rates for like transportation performed for the public at large and shall be accepted as in full for all demands for such service; *Provided further*, That in expending the money appropriated by this act a railroad company which has not received aid in bonds of the United States, and which obtained a grant of public land to aid in the construction of its railroad on condition that such railroad should be a post route and military road, subject to the use of the United States for postal, military, naval, and other Government services, and also subject to such regulations as Congress may impose restricting the charge for such Government transportation, having claims against the United States for transportation of troops and munitions of war and military supplies and property over such aided railroads, shall be paid out of the moneys appropriated by the foregoing provision only on the basis of such rate for the transportation of such troops and munitions of war and military supplies and property as the Secretary of War shall deem just and reasonable under the foregoing provision, such rate not to exceed 50 per cent of the compensation for such Government transportation as shall at that time be charged to and paid by private parties to any such company for like and similar transportation; and the amount so fixed to be paid shall be accepted as in full for all demands for such service; for the purchase and hire of draft and pack animals in such numbers as are actually required for the service, including reasonable provision for replacing unserviceable animals; for the purchase, hire, operation, maintenance, and repair of such harness, wagons, carts, drays, and other vehicles as are required for the transportation of troops and supplies, and for official, military, and garrison purposes; for drayage

and cartage at the several depots; for the hire of teamsters and other employees; for the purchase and repair of ships, boats, and other vessels required for the transportation of troops and supplies and for official, military, and garrison purposes; for expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans, \$10,555,555.

Mr. WILLIS. Mr. Chairman, I desire to submit an amendment.

The CHAIRMAN. The Clerk will report the amendment. The Clerk read as follows:

Page 31, lines 20 and 21, after the word "vessels," strike out the words "on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans."

Mr. HAY. Mr. Chairman, I make a point of order on that.

Mr. WILLIS. Mr. Chairman, I do not think it is subject to a point of order, but I am willing for the Chair to pass on that now.

Mr. MANN. The gentleman makes the point of order on that?

Mr. HAY. Of course I make the point of order on that, otherwise the appropriation would not mean anything.

Mr. WILLIS. Will the gentleman withhold his point of order?

Mr. HAY. I will reserve the point of order; yes.

Mr. WILLIS. Mr. Chairman, I introduced this amendment simply to call attention to what seems to me to be a peculiar statement of the law. I assume this is a provision in former appropriation bills, though I did not get an opportunity to look it up. Here it says:

For expenses of sailing public transports and other vessels on the various rivers, the Gulf of Mexico, and the Atlantic and Pacific Oceans.

Now, then, suppose it is desirable to sail transports on the Panama Canal. That is not a river; it is not the Gulf of Mexico; it is not the Atlantic Ocean or the Pacific Ocean. Or, say, the Suez Canal—

Mr. ROBERTS of Massachusetts. Or the Indian Ocean or the Mediterranean Sea.

Mr. WILLIS. Or the Indian Ocean or the Mediterranean Sea or the Red Sea.

Mr. BURKE of South Dakota. Or the Black Sea.

Mr. WILLIS. Or the Black Sea, or any of those suggested here. None of those comes under the head stated in this paragraph. Now, as a matter of fact, if this should be left in the appropriation bill as it stands here, might not the auditing officer, the Comptroller of the Treasury, or whoever it is, have the question raised there and lead to embarrassment and confusion?

Because obviously sailing a vessel on the Caribbean Sea or on the Indian Ocean, or any of these places, does not come within the provisions of the law, and what is the use of enumerating these navigable waters as the only places for sailing public transports and other vessels? The enumeration of certain navigable waters excludes others by implication. If this amendment is adopted it simply strikes out the language which is in the bill and which I have read.

Mr. HAY. I will say to the gentleman this language has been in the bill, according to my recollection, ever since we have acquired the Philippine Islands and inaugurated the system of transportation. The transports ply on the Atlantic Ocean, on the Gulf of Mexico, and on the Pacific Ocean, and on various rivers in the Philippine Islands and elsewhere. I do not know of any other place where they could very well go.

Mr. WILLIS. What does the gentleman say now as to my suggestion of the Indian Ocean?

Mr. HAY. I will say to the gentleman that as this language has been in the law, and has been the law for a long time, I think, unless the gentleman has a very good reason for it, we had better let it remain as it is. No harm has come from it.

Mr. WILLIS. That is the very point—harm may come from it. It is clearly within the provisions of the law.

Mr. HAY. I do not think so. I do not think any possible injury could come to the Government.

Mr. WILLIS. If that point should be made by the auditing officer, does the gentleman think the expenses of sailing a transport through the Mediterranean Sea or the Suez Canal or the Red Sea or the Indian Ocean would be covered by this language?

Mr. HAY. They do go through the Indian Ocean and through the Suez Canal.

Mr. WILLIS. But does the gentleman think the language here covers that, if the point would ever be raised?

Mr. HAY. They sail over the Indian Ocean to get to the Pacific Ocean.

Mr. MANN. It is a part of the Indian Ocean, or it was when I went to school.

Mr. WILLIS. The gentleman from Illinois studied a very ancient geography. What does he say about the Panama Canal? That is not a part of the Atlantic Ocean.

Mr. MANN. I could give the gentleman a very much better instance than he has cited, and that is the Caribbean Sea.

Mr. WILLIS. I cited that.

Mr. MANN. What is the gentleman seeking to accomplish? It is always fair to be perfectly frank.

Mr. WILLIS. Certainly. It occurred to me that the point might be raised by the comptroller. I have no interest in the form of language at all, aside from that.

Mr. HAY. I will ask the gentleman not to insist on the amendment.

Mr. WILLIS. All right. I will withdraw the amendment.

Mr. BURKE of South Dakota. Mr. Chairman, I desire to offer an amendment.

The CHAIRMAN. The gentleman from South Dakota offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 31, after line 21, add the following:

"Provided, That no part of this or any other appropriation carried herein shall be used for the payment of expenses of holding, going to, attendance on, and returning from, polo tournaments, horse shows, Olympic games, or race track, by officers, enlisted men, horses, or equipments belonging to the United States, except at the United States Military Academy."

Mr. HAY. Mr. Chairman, I reserve a point of order on that.

Mr. BURKE of South Dakota. Mr. Chairman, the matter was quite fully discussed when the amendment was offered by the gentleman from North Carolina [Mr. WEBB] against the purchase of polo ponies. I do not wish to take up the time of this committee in discussing the matter unless the chairman of the committee resists the adoption of the amendment.

Mr. HAY. I understood the other amendment was adopted.

Mr. BURKE of South Dakota. The other amendment was adopted, and I want to say, because that was mentioned—

Mr. HAY. I do not believe it is subject to a point of order, Mr. Chairman.

Mr. BURKE of South Dakota. Will the gentleman accept the amendment? I do not care to take up the time of the committee at this hour of the evening.

Mr. MANN. May I hear the amendment reported?

Mr. BURKE of South Dakota. It is a limitation on the appropriation.

Mr. MANN. I ask to have the amendment reported.

The amendment was again read.

Mr. MANN. Mr. Chairman, I am surprised that my friend from South Dakota [Mr. BURKE] has not offered an amendment to provide that Army officers shall be kept on feather beds all the time and not be permitted to go out of their feather-bed buildings for fear they might be hurt. [Laughter.] I may be mistaken. I never have been in favor of a large Army, but I have always been in favor of making efficient the Army that we have.

Here is a proposition to prevent the drilling of Cavalry officers in the way they need to be drilled for service in time of battle. You might as well say they shall not have saber exercises. Why not provide that cavalymen shall not ride horses? Why does the gentleman stop there? Why not provide that these Cavalry officers shall superintend their Cavalry regiments on foot, for fear they may be hurt?

Mr. ADAIR. Why not limit them to Army hobbyhorses?

Mr. MANN. The gentleman need not cite the Army hobbyhorses. They have them now. That is what they ride now. Because some man over here was asked, or disrespectfully asked, to contribute a dollar and was too mean to give it up, we have had an excitement about polo games ever since.

Mr. BURKE of South Dakota. Mr. Chairman, I had not intended to debate the amendment, as it was discussed very fully when the former amendment was adopted.

The basis of my action in offering this amendment, as I fully explained when the other amendment was discussed, is that I found upon inquiry of the gentlemen composing the Committee on Military Affairs of this House—a number of the members of that committee, including the chairman—that they had undertaken to prohibit expenditures from the appropriations that were being made to pay the expenses of polo tournaments and other similar exhibitions, and supposed they had. It was only after I ascertained by a letter from the Secretary of the Treasury that has been read here, and which was incorporated in my remarks earlier in the afternoon, that I discovered that they were expending money to pay the expenses of such exhibitions out of these funds.

I have here a newspaper clipping from the Washington Herald of November 16, 1912, that I happened to read about the time I arrived in Washington at the beginning of this session, and I will send to the Clerk's desk to have it read. I may say that I believe that that is an item involving expenses which are paid from the appropriations made in this bill.

The CHAIRMAN. Without objection, the Clerk will read.
The Clerk read as follows:

DEPART FOR HORSE SHOW—FORT MYER OFFICERS LEAVE FOR NEW YORK WITH THEIR MOUNTS.

Capt. L. R. Lindsey, with his famous horse Experiment, and Lieut. W. H. Shepherd, with Marshal Ney, left Fort Myer yesterday over the Pennsylvania Railroad for New York, where they will take part in the annual horse show which opens there Saturday.
Trumpeter James T. Purcell, of Battery D, and Pvt. Johnson, of Troop A, went along to look out for the horses. The Fort Myer men expect to win high honors with their mounts.

Mr. BURKE of South Dakota. Mr. Chairman, the only question is whether or not we are going to authorize expenditures for such purposes; and if we are I say we ought to say so in so many words. As I have already stated from the best information I could get from the men who are well informed on the subject it appears that we had limited the appropriation so that such expenses could not be paid from them, and since the department had found a way by which they can pay such expenses from these appropriations I am asking to put on the appropriation bill a limitation which will prohibit it in the future.

Mr. FOSTER. Mr. Chairman will the gentleman yield?

The CHAIRMAN. Does the gentleman yield?

Mr. BURKE of South Dakota. I do.

Mr. FOSTER. Does the gentleman know that the United States Government is also putting horses in races on different race tracks?

Mr. BURKE of South Dakota. I just sent to the desk and had read a newspaper clipping concerning a horse show.

Mr. FOSTER. I mean regular races.

Mr. MADDEN. Are there any pools being made on them?

Mr. FOSTER. Yes; that is a fact. Pools are being made on them.

Mr. KAHN. May I ask where United States horses are being entered in races?

Mr. FOSTER. In New York they were entered last year.

Mr. COX. Did they win any money?

Mr. FOSTER. I understand they did.

Mr. COX. Who kept it?

Mr. FOSTER. I do not know.

Mr. MANN. Would it be improper to enter them at a county fair? Would it be improper?

Mr. FOSTER. I do not know.

Mr. MANN. This would prohibit it.

Mr. MADDEN. Mr. Chairman, I think it is proper to place a limitation upon the expenditure of money carried in this bill. There is not any reason on earth why the United States Treasury should be called upon to pay for the amusements of those who are occupying positions as officers of the Army. Polo games and horse shows and all that should be left to people who are willing to pay their own money for that sort of amusement.

Why should an Army officer be privileged to draw money out of the Federal Treasury for doing something that every other citizen of the United States is called upon to pay for himself? There is no necessity for taking the cavalymen off the horses in order to prevent men who are in the Army from playing polo at the expense of the Government Treasury.

Polo has nothing whatever to do with soldiery. Cavalry service is quite another thing. It has been said that men are better qualified for service in the Army because of their activities in polo games. I doubt that. When they are in these polo games their minds are taken away from the work for which they are employed. They run from one end of this country to the other at the expense of the Government, and in addition to having all their expenses paid they insult the people who pay taxes, because forsooth those people drive along a public driveway, built at the expense of the public, and want to stop to look at the game, they compel them to pay a dollar, or whatever the price is, if they wish to stand at a particular place. It is no evidence of niggardliness because a man refuses to pay a charge which there is no authority to levy. I take it that if a man wants to go to a game of baseball or football or polo, performed by private individuals, he is willing to pay; but if the Government of the United States builds parks, surrounds the parks with beautiful shrubbery and trees, builds beautiful boulevards for the purpose of giving the people an opportunity to drive for pleasure, those parks and boulevards are not to be controlled by soldiers who are assigned to duty to prevent the citizens from enjoying the privileges of the boulevards. It is an outrage. It is an insult that the Army should be permitted, through any officer or private, to say to any citizen "You shall not stay on a public street in a public park, unless you pay whatever charge we see fit to impose." They charged a fee on both sides of the park, on the river side and on the side across from the river. They ought not to be

permitted to charge on either side, and I hope this amendment will prevail, and that in the future no dollar of the public money will be expended for the purpose of transporting officers and polo ponies from one section of the Nation to another for the edification of the officers of the Army. [Applause.]

Mr. KAHN. Mr. Chairman, it seems to me that the gentleman who introduced this amendment has mistaken his remedy. What he ought to do is to offer an amendment providing that no charge of \$1 or any other amount shall be levied upon any citizen for the privilege of looking upon a game of polo which is being conducted by officers or soldiers of the Army.

Mr. CULLOP. Mr. Chairman—

The CHAIRMAN. Does the gentleman from California yield to the gentleman from Indiana?

Mr. KAHN. Yes.

Mr. CULLOP. I understand the gentleman is a member of the Committee on Military Affairs?

Mr. KAHN. I am.

Mr. CULLOP. Is it not an abuse of the appropriation to use any part of it for the transporting of horses or men to engage in a horse race at Baltimore?

Mr. KAHN. I never heard until this afternoon that money was being diverted for that purpose. I personally do not believe that it can be done under the law.

Mr. CULLOP. I understand from the statement of the gentleman from Illinois [Mr. FOSTER] that it was done last year.

Mr. KAHN. I understood so from the gentleman; but it is the first time I ever heard of it.

Mr. CULLOP. It ought not to require an amendment to purge that abuse, because no part of the appropriation was ever made for any such purpose as that, even if it has been diverted to that use.

Mr. KAHN. I am inclined to agree with the gentleman from Indiana on that. I believe that that money can not lawfully be diverted for that purpose.

Mr. CULLOP. And there is no authority of law for the use of the appropriation for such transportation.

Mr. KAHN. I know of no authority of law. I know that instruction in riding is given in the Army. Many of our constituents who come to Washington have heard of the wonderful riding exhibitions by the soldiers at Fort Myer on Fridays. It is a thrilling drill, and we are frequently importuned to secure tickets for our visiting constituents. They enthuse over the skill of the soldiers in horsemanship. The gentleman who offered this amendment would probably like to stop that riding drill at Fort Myer. To my mind, it aids enlistments. It creates an interest in the Army.

Then, too, the matter of procuring suitable horses for the service has been a serious question with Army officers. They have had a great deal of difficulty in getting proper mounts. In order to obviate that we established a remount station some two or three years ago. It is a good thing for those who raise horses throughout this country to see Army officers ride their animals; besides its educational effect there is no doubt but that the farmer or the citizen who witnesses a demonstration of that sort is frequently led to try to produce the kind of horses that are required by the Army. It is in the interest of the service that these men be permitted to perform at these various fairs.

Mr. MADDEN. Will the gentleman yield?

Mr. KAHN. Certainly.

Mr. MADDEN. How many farmers attend the horse show at Madison Square Garden, New York?

Mr. KAHN. A great many farmers, I have no doubt. They are naturally interested in good stock.

Mr. MADDEN. How many farmers attend the polo game on the grounds down here?

Mr. KAHN. I dare say many farmers from Virginia and Maryland, who reside in the vicinity of Washington, come here and pay the dollar for the privilege of looking at the game.

Mr. SLAYDEN. Mr. Chairman, this discussion has taken a wide range. I want to direct the attention of Members to the part of the bill that has provoked it all and that suggested the amendment:

Provided further, That no part of this appropriation shall be expended for the purchase of any horses below the standard set by Army Regulations for Cavalry and Artillery horses, except when purchased as remounts or for instruction of cadets at the United States Military Academy.

Of course, this purchase of undersized horses—polo ponies—is made to train them in horsemanship.

Mr. KAHN. But the amendment that is proposed is entirely different from that.

Mr. SLAYDEN. I know of no authority in law, and I have been surprised here at hearing it stated that certain things have been done—I know of no authority in law for ordering

officers and enlisted men, at the expense of the mileage appropriation, to leave Washington to engage in games. Whether it is proper for them to do that I am not undertaking to discuss.

Mr. KAHN. I know of no authority.

Mr. SLAYDEN. I was surprised to know that it had been done.

Mr. MANN. Mr. Chairman, I want to say that in Chicago for several years they have held—I do not know what they call it—some kind of a show on the Lake front, at which they have had a portion of the Cavalry and a part of the Infantry of the Army. They charged an admission for reserved seats. I understood some years ago, although I never made application in reference to the matter, that they claimed to have authority to transport these troops—I suppose from Fort Sheridan, which is only a few miles from Chicago. Perhaps they do not pay the expenses of transportation, but whether they do or not would make no difference.

Mr. SLAYDEN. A mere order by an officer who had no authority of law would be sufficient for them.

Mr. MANN. I am not saying there is authority; I do not know who pays the expense. No one else has a right to contribute to the Government for the transportation of troops.

Mr. SLAYDEN. The officers and enlisted men might get leave for that purpose.

Mr. MANN. They do not get leave; they send the men there, and send men who do not want to go.

Mr. KAHN. They are probably detailed.

Mr. MANN. They are detailed by order of the Government, and I think it has been a good thing for the Army and probably has been a good thing for the hundreds and thousands of people who have seen them.

Mr. HAY. That is a different proposition from the one proposed by the gentleman from South Dakota.

Mr. MANN. In what respect? They are ordered to a tournament where there is an admission charged.

Mr. HAY. The proposition of the gentleman from South Dakota is against the payment of the expenses for transportation of polo ponies. The proposition the gentleman is talking about, the exhibition on the shore front of the lake at Chicago, is where troops are ordered by competent authority to go to a certain place.

Mr. MANN. I did not understand the amendment of the gentleman from South Dakota was confined to the transportation of polo ponies.

Mr. HAY. And horses taking part in races, Olympic events, and so forth. I do not know exactly what the gentleman means by "Olympic events."

Mr. MANN. That is what I was talking about; wherever there is Cavalry riding there is racing, and where they have drills they are Olympic events.

Mr. HAY. I have known cases where troops of Cavalry participated, where they have been sent to different fairs, and I have requested it to be done in my district, and it has been done.

Mr. MANN. I think it would be barred by this amendment.

Mr. HAY. If it was, I should be opposed to the amendment, because I believe it is a matter of education of the people to see the soldiers and see them ride.

Mr. KAHN. I think it is a matter of education.

Mr. HAY. It aids enlistments.

Mr. MANN. That is the reason I agree with the gentleman and the reason that I am opposed to the amendment.

Mr. BURKE of South Dakota. The gentleman from Virginia went to the desk and examined the amendment, and I think he discovered that it does not go to the extent that the gentleman from Illinois has stated.

Mr. HAY. I do not so understand.

Mr. BURKE of South Dakota. It is limited entirely to certain events that are enumerated. The gentleman from Texas [Mr. SLAYDEN] states that in his judgment there is no authority of law for paying these expenses, if they are paying them, and so has the gentleman from California [Mr. KAHN], and they are both members of the committee. Is not that sufficient ground to justify placing a limitation on the appropriation?

Mr. COX. If there is no authority in law for it, how do these items get past the Comptroller of the Treasury?

Mr. BURKE of South Dakota. I can explain that in about two minutes' time, if I may be yielded that much.

Mr. GARNER. Mr. Chairman, is there not another remedy for this illegal expenditure of money? If the Committee on Military Affairs would go into the question of the necessary amount and cut down the appropriation for this work sufficiently, so that they would not have money enough to go into polo games, would not that remedy the matter?

Mr. HAY. Mr. Chairman, I will say to the gentleman that every particle of this appropriation is itemized and allotted by

the Chief of the Quartermaster Corps, and that there is no allotment of this appropriation for polo games or anything of that sort. The only thing that could be paid out of this item—transportation—would be for transporting the horses from one place to another; and then, of course, the Secretary of War has the power to order the horses to be transported, and I do not know any law which we could properly enact which would prevent him from transporting the horses of the Army.

Mr. COX. Mr. Chairman, I will ask the gentleman from South Dakota to tell us how these claims get past the Comptroller of the Treasury?

Mr. BURKE of South Dakota. Certain expenses were incurred in connection with some races at Pimlico race track, Arlington, Md., and when the voucher reached the Treasury Department it was disallowed.

Mr. COX. By whom?

Mr. BURKE of South Dakota. By the Auditor for the War Department, who is an official of the Treasury Department. He decided it could not be paid, because it was not authorized by law, and I think when he did that he followed the intention of Congress when it made the appropriation. The matter went to the Comptroller of the Treasury.

Mr. COX. Was there an appeal taken from his decision?

Mr. BURKE of South Dakota. Yes; and here is the substance of the comptroller's decision:

The War Department is intrusted with the control of the Army and what, in its judgment, will promote its efficiency. The Secretary of War represents the President and exercises his power on the subjects confided to his department. If the War Department in the exercise of its jurisdiction and control of the Army is of the opinion that polo tournaments among the officers and enlisted men tend to promote the efficiency of the Army, and accordingly orders the officers and men to participate in such tournaments, which involve expenditures for transportation of officers and men and horses to attend such tournaments, I do not think the accounting officers can revise the judgment of the War Department in such matters or that they are authorized to disallow them the reasonable cost of such transportation.

So the decision of the comptroller is based entirely upon the authority that he says the Secretary of War possesses, and enables the expenditure of money that Congress did not intend to authorize.

Mr. MADDEN. Does he define what a game of polo is?

Mr. BURKE of South Dakota. My position is, and I am willing to accept the judgment of the Committee on Military Affairs on the matter, that if this is a proper subject for which to appropriate money, then appropriate for that purpose.

Mr. COX. As I gather from the reading of the decision of the comptroller, he really winds up by deciding a state of facts not stated in the first part of the decision. Did not that case arise on the proposition of certain horses being sent to a race track?

Mr. BURKE of South Dakota. I think so.

Mr. COX. And then finally he decides the question on a polo game.

Mr. BURKE of South Dakota. No; the particular item in this case was a voucher for a race-track event, but he goes on very fully and discusses polo tournaments and gives the Century Dictionary definition of what polo is and of what hockey is, and so forth. It is quite interesting, I will say to the gentleman, and it shows clearly how the comptroller found a way to pay the expenses, but I do not think his decision is correct.

Mr. MANN. In accordance with the law.

Mr. HAY. Mr. Chairman, I think this matter has been discussed sufficiently, and I hope to have a vote on the amendment now.

The question was taken; and the Chairman announced the "noes" seemed to have it.

On a division (demanded by Mr. BURKE of South Dakota) there were—ayes 14, noes 23.

Mr. MADDEN. Mr. Chairman, I make the point of order there is no quorum present.

Mr. HAY. Mr. Chairman, I move the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. SAUNDERS, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 27941, the Army appropriation bill, and had come to no resolution thereon.

ENROLLED BILLS SIGNED.

Mr. CRAVENS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 22910. An act to amend the license law, approved July 1, 1902, with respect to licenses of drivers of passenger vehicles for hire.

The SPEAKER announced his signature to enrolled joint resolution and bill of the following titles:

S. J. Res. 150. Joint resolution appropriating \$40,000 for expenses of inquiries and investigations ordered by the Senate; and

S. 7637. An act to authorize the construction of a railroad bridge across the Illinois River near Havana, Ill.

DESIGNATION OF SPEAKER PRO TEMPORE FOR TO-MORROW.

The SPEAKER. The Chair will appoint the gentleman from Indiana, Mr. CLINE, to preside at the session of the House to-morrow.

ADJOURNMENT.

Mr. HAY. Mr. Chairman, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 3 minutes p. m.) the House adjourned to meet to-morrow, Sunday, January 19, 1913, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

1. A letter from the Secretary of the Navy, transmitting a statement of expenses incurred from June 30 to December 1, 1912, by officers and employees of the Navy Department in attending conventions of societies or associations (H. Doc. No. 1284); to the Committee on Expenditures in the Navy Department and ordered to be printed.

2. A letter from the Acting Secretary of the Treasury, transmitting copy of a communication from the Secretary of War submitting estimate of appropriation for barracks and quarters at Fort Bliss, Tex. (H. Doc. No. 1285); to the Committee on Military Affairs and ordered to be printed.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII,

Mr. RUSSELL, from the Committee on Invalid Pensions, to which was referred the bill (H. R. 28093) to amend the general pension act of May 11, 1912, reported the same without amendment, accompanied by a report (No. 1346), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 27960) granting a pension to William Costello, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. COPLEY: A bill (H. R. 28233) for the purchase of a site at Woodstock, Ill., for the purpose of erecting a public building thereon; to the Committee on Public Buildings and Grounds.

By Mr. CLINE: A bill (H. R. 28234) to place on the retired list of the Army the names of the surviving officers who were mustered out under the provisions of the act of Congress approved July 15, 1870; to the Committee on Military Affairs.

Also, a bill (H. R. 28235) to amend a portion of the act of July 1, 1908, volume 30, Statutes at Large, page 614, relating to the exclusive jurisdiction, control, and custody of courthouses, customhouses, post offices, etc., under the exclusive jurisdiction of the Secretary of the Treasury; to the Committee on Public Buildings and Grounds.

By Mr. HUMPHREY of Washington: A bill (H. R. 28236) to prevent ships in combines and conferences from passing through the Panama Canal; to the Committee on Interstate and Foreign Commerce.

By Mr. PICKETT: A bill (H. R. 28237) to authorize the construction of a bridge across the Mississippi River at or near Dubuque, Iowa, and to establish it as a post road; to the Committee on Interstate and Foreign Commerce.

By Mr. RICHARDSON: A bill (H. R. 28238) authorizing the Secretary of War to donate to the city of Sheffield, in the State of Alabama, a bronze cannon and carriage; to the Committee on Military Affairs.

By Mr. CALDER: A bill (H. R. 28239) providing that one competent officer of the United States Navy, who shall be nominated by the Secretary of the Navy for the approval of the President, with two other competent persons appointed by the President, shall constitute a commission to be known as the Labrador Current and Gulf Stream Commission, defining its

powers and duties, and making an appropriation for its expenses; to the Committee on Naval Affairs.

By Mr. HINDS: A bill (H. R. 28240) to amend the act authorizing the construction of a public building at Biddeford, Me.; to the Committee on Public Buildings and Grounds.

By Mr. TUTTLE: Resolution (H. Res. 778) directing the Committee on the Post Office and Post Roads to institute and carry forward an investigation into the letting of contracts, etc.; to the Committee on Rules.

By Mr. HARDWICK: Resolution (H. Res. 779) requesting from the President of the United States information concerning the exemption of American importers of manila hemp from payment of the export tax thereon; to the Committee on Ways and Means.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ANDERSON: A bill (H. R. 28241) granting a pension to Elmo M. Kellar; to the Committee on Pensions.

By Mr. AYRES: A bill (H. R. 28242) granting a pension to Ellen Louise Tripp; to the Committee on Pensions.

By Mr. BATHRICK: A bill (H. R. 28243) granting a pension to Clarence J. Hoskins; to the Committee on Pensions.

By Mr. BELL of Georgia: A bill (H. R. 28244) granting a pension to Mariena E. Wehant; to the Committee on Invalid Pensions.

By Mr. BYRNS of Tennessee: A bill (H. R. 28245) for the relief of Gethsemane Baptist Church; to the Committee on War Claims.

By Mr. CRAVENS: A bill (H. R. 28246) for the relief of the estate of Samuel N. Pryor; to the Committee on War Claims.

By Mr. DAVIDSON: A bill (H. R. 28247) granting a pension to Hans Hanson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28248) granting an increase of pension to Ludwig W. Kaempf; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28249) granting an increase of pension to Newton Peters; to the Committee on Invalid Pensions.

By Mr. FERGUSON: A bill (H. R. 28250) granting an increase of pension to Juan Andres Aragon; to the Committee on Pensions.

Also, a bill (H. R. 28251) granting an increase of pension to Petra Archuleta de Vigil; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28252) granting a pension to Charles M. Hines; to the Committee on Pensions.

By Mr. FERRIS: A bill (H. R. 28253) granting an increase of pension of Joshua P. Neeley; to the Committee on Invalid Pensions.

By Mr. GILL: A bill (H. R. 28254) granting a pension to John J. Seithel; to the Committee on Pensions.

By Mr. HARTMAN: A bill (H. R. 28255) granting an increase of pension to Lucinda Hainley; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28256) granting an increase of pension to Margaret L. Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28257) granting an increase of pension to Peter Miller; to the Committee on Invalid Pensions.

Also, a bill (H. R. 28258) granting an increase of pension to Lydia Barclay; to the Committee on Invalid Pensions.

By Mr. HAMILTON of Michigan: A bill (H. R. 28259) for the relief of Park B. Chase; to the Committee on Naval Affairs.

By Mr. HAMLIN: A bill (H. R. 28260) for the relief of J. H. Alexander; to the Committee on War Claims.

By Mr. HAYDEN: A bill (H. R. 28261) for the relief of G. O. Nolan; to the Committee on Claims.

By Mr. JOHNSON of Kentucky: A bill (H. R. 28262) for the relief of George W. Stout; to the Committee on Claims.

Also, a bill (H. R. 28263) granting an increase of pension to John T. Stasel; to the Committee on Invalid Pensions.

By Mr. LANGLEY: A bill (H. R. 28264) for the relief of Cyrus H. Abbott and others; to the Committee on War Claims.

By Mr. LEE of Georgia: A bill (H. R. 28265) for relief of the trustees of Pea Vine Academy, Catoosa County, Ga.; to the Committee on War Claims.

Also, a bill (H. R. 28266) for relief of the trustees of Pea Vine Church, Catoosa County, Ga.; to the Committee on War Claims.

By Mr. LLOYD: A bill (H. R. 28267) granting an increase of pension to John M. Davis; to the Committee on Invalid Pensions.

By Mr. MADDEN: A bill (H. R. 28268) granting a pension to Vincent S. Drain; to the Committee on Pensions.

By Mr. NEELEY: A bill (H. R. 28269) granting a pension to Parmelia R. Parris; to the Committee on Pensions.

By Mr. RANDELL of Louisiana: A bill (H. R. 28270) for the relief of James M. Morgan; to the Committee on War Claims.

By Mr. REILLY: A bill (H. R. 28271) granting an increase of pension to Margaret Carmody; to the Committee on Invalid Pensions.

By Mr. ROBERTS of Nevada: A bill (H. R. 28272) granting a pension to Jasper Jennings; to the Committee on Invalid Pensions.

By Mr. SWITZER: A bill (H. R. 28273) granting a pension to Sampson Johnson; to the Committee on Invalid Pensions.

By Mr. TOWNER: A bill (H. R. 28274) granting a pension to Mary Bullard; to the Committee on Invalid Pensions.

By Mr. ELLERBE: A joint resolution (H. J. Res. 386) exempting Capt. Frank Parker, United States Army, from a provision of the act entitled "An act making appropriation for the support of the Army for the fiscal year ending June 30, 1913, and for other purposes"; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By the SPEAKER (by request): Papers relative to contest case of *Fulton v. Morgan*; to the Committee on Elections No. 2.

By Mr. ALLEN: Petition of officers of the Historical and Philosophical Society of Ohio, favoring the passage of legislation for the erection of a national archives building at Washington, D. C.; to the Committee on Public Buildings and Grounds.

By Mr. ANDERSON: Papers to accompany bill granting a pension to Elmo M. Kellar; to the Committee on Pensions.

By Mr. ANSBERRY: Petition of Thomas J. Littlejohn and others, of Middletown, Ohio, favoring the passage of the Lafean pension bill; to the Committee on Invalid Pensions.

Also, petition of the Eastern Talking Machine Dealers' Association, protesting against the passage of section 2 of the Oldfield patent bill, prohibiting fixing of prices by manufacturers of patent goods; to the Committee on Patents.

Also, petition of the National Society for the Promotion of Industrial Education, New York, favoring the passage of Senate bill 3, for Federal aid for vocational education; to the Committee on Agriculture.

By Mr. BYRNS of Tennessee: Papers to accompany bill for the relief of Gethsemane Baptist Church; to the Committee on War Claims.

By Mr. CARY: Petition of the Milwaukee Chamber of Commerce, favoring the passage of legislation granting a Federal charter to the Chamber of Commerce of the United States; to the Committee on the Judiciary.

Also, petition of the Milwaukee Chamber of Commerce, favoring the passage of House bill 3010, for regulation of telephone and telegraph messages; to the Committee on Interstate and Foreign Commerce.

Also, petition of the National Association of Employing Lithographers, protesting against the reduction of tariff on lithography; to the Committee on Ways and Means.

By Mr. CRAVENS: Papers to accompany bill for the relief of the estate of Samuel M. Pryor; to the Committee on War Claims.

By Mr. ESCH: Petition of the Chamber of Commerce of Milwaukee, favoring the passage of House bill 3010, for regulation of telephone and telegraph messages; to the Committee on Interstate and Foreign Commerce.

Also, petition of the Chamber of Commerce of Milwaukee, Wis., favoring the passage of the pending legislation granting a Federal charter to the Chamber of Commerce of the United States; to the Committee on the Judiciary.

By Mr. FULLER: Petition of the Illinois Chapter of the American Institute of Architects, relative to the erecting of a fitting memorial to Abraham Lincoln; to the Committee on the Library.

Also, petition of Wallace Gillespie, Franklin, Ohio, favoring the passage of House bill 13399 to increase the pensions of the veterans of the Civil War who lost an arm or leg; to the Committee on Invalid Pensions.

By Mr. HINDS: Petition of employees in paper mills in Maine, New Hampshire, Vermont, Connecticut, Massachusetts, New York, Pennsylvania, District of Columbia, Virginia, West Virginia, Ohio, Indiana, Michigan, Minnesota, Iowa, Wisconsin, Oregon, and Washington, praying that section 2 of the reciprocity act be repealed; to the Committee on Ways and Means.

By Mr. LINDSAY: Petition of the New York Leather Belting Co., New York, favoring the passage of House bill 27567 reducing the rate of first-class letter postage to 1 cent; to the Committee on the Post Office and Post Roads.

Also, petition of Employees' Aid Society, of the Eberhard Faber Pencil Co., Greenport, Brooklyn, protesting against the passage of any legislation making downward revision of tariff on lead pencils and leads; to the Committee on Ways and Means.

By Mr. MARTIN of South Dakota: Petition of business men of Dallas, Burke, and Gregory, S. Dak., favoring the passage of legislation compelling the firms that sell direct to the consumer by mail to pay their portion of funds for the development of the local community, county, and State; to the Committee on Interstate and Foreign Commerce.

Also, petition of Frank Smith, Sturgis, S. Dak., relative to special act granting a pension to Daniel J. Newell; to the Committee on Invalid Pensions.

By Mr. NEELEY: Petition of citizens of Kansas, favoring the passage of House bill 25040, making an eight-hour limit for the telegrapher; to the Committee on Interstate and Foreign Commerce.

By Mr. PLUMLEY: Petition of the First Congregational Church and the Methodist Episcopal Church of St. Johnsbury Center, Vt., favoring the passage of the Kenyon "red-light" injunction bill to clean up Washington during the inauguration; to the Committee on the District of Columbia.

Also, petition of the First Congregational Church and the Methodist Episcopal Church of St. Johnsbury Center, Vt., favoring the passage of the Kenyon-Sheppard bill preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. RAKER: Petition of the Illinois Chapter of the American Institute of Architects, relative to the erection of a fitting memorial to the memory of Abraham Lincoln; to the Committee on the Library.

By Mr. REILLY: Petition of the Village Improvement Association, Milford, Conn., favoring the passage of the McLean bill granting Federal protection to all migratory birds; to the Committee on Agriculture.

Also, petition of the Eastern Talking Machine Dealers' Association, New York, N. Y., protesting against the passage of section 2 of the Oldfield patent bill, prohibiting the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

Also, petition of the German-American Peace Society, protesting against the passage of House bill 8141, putting the soldiers and officers of the State militia on the national pay roll; to the Committee on Military Affairs.

By Mr. SMITH of New York: Petition of the Methodist Men's Club of East Aurora, N. Y., favoring the passage of the Kenyon-Sheppard liquor bill, preventing the shipment of liquor into dry territory; to the Committee on the Judiciary.

By Mr. STEPHENS of California: Petition of the Russell Borate Mining Co., Ventura, Cal., protesting against any reduction of the tariff on borate; to the Committee on Ways and Means.

By Mr. TAGGART: Memorial of the Uncle Sam Oil Co., relating to its business transactions with the Standard Oil Co. and the Post Office and Interior Departments; to the Committee on Interstate and Foreign Commerce.

By Mr. THAYER: Petition of citizens of Worcester, Mass., favoring the passage of the Kenyon "red-light" injunction bill to clean up Washington for the inauguration; to the Committee on the District of Columbia.

By Mr. TILSON: Petition of the Village Improvement Association (Inc.), Milford, Conn., favoring the passage of the McLean bill for Federal protection to all migratory birds; to the Committee on Agriculture.

By Mr. TUTTLE: Petition of the Eastern Talking Machine Dealers' Association of New York, protesting against the passage of section 2 of the Oldfield patent bill preventing the fixing of prices by the manufacturers of patent goods; to the Committee on Patents.

Also, petition of the National Society for the Promotion of Industrial Education, favoring the passage of the Page bill (S. 3) for Federal aid for vocational education; to the Committee on Agriculture.

Also, petition of the Board of Trade of the city of Newark, N. J., favoring the passage of legislation for the establishment of a Federal court at Newark, N. J.; to the Committee on the Judiciary.

Also, petition of employees of the Railway Mail Service, second division, protesting against the recent orders of the Post Office Department requiring the cancellation of the photographic commissions, upon which their transportation to and from duty depends; to the Committee on the Post Office and Post Roads.

By Mr. WILLIS: Papers to accompany bill (H. R. 27526) granting a pension to Emma B. Showalter; to the Committee on Invalid Pensions.